

THE AMERICAN SCHOOLS ABROAD SUPPORT ACT; REAUTHOR-
IZING THE TROPICAL FOREST CONSERVATION ACT OF 1998;
THE VIET NAM HUMAN RIGHTS ACT OF 2003; AMENDING
THE MILLENNIUM CHALLENGE ACT OF 2003; AND VARIOUS
RESOLUTIONS AND CONCURRENT RESOLUTIONS

MARKUP
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

ON

H.R. 4303, H.R. 4654, H.R. 1587, H.R. 4660, H. Res. 615,
H. Res. 617, H. Res. 652, H. Res. 667, H. Con. Res. 462,
H. Con. Res. 304, H. Con. Res. 319, H. Con. Res. 363,
H. Con. Res. 436, H. Con. Res. 415, H. Con. Res. 418,
H. Con. Res. 422 and S. 2264

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THE AMERICAN SCHOOLS ABROAD SUPPORT ACT; REAUTHORIZING THE TROPICAL FOREST CONSERVATION ACT OF 1998; THE VIET NAM HUMAN RIGHTS ACT OF 2003; AMENDING THE MILLENNIUM CHALLENGE ACT OF 2003; AND VARIOUS RESOLUTIONS AND CONCURRENT RESOLUTIONS

THURSDAY, JUNE 24, 2004

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 10:58 a.m. in Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde presiding.

Chairman HYDE. The Committee will come to order. Due to the extensive bipartisan and noncontroversial nature of the items for consideration on today's agenda, it is my intention to expedite their consideration by dealing with them through two en bloc, unanimous consent requests.

First, I will ask unanimous consent to order two bills ordered reported favorably to the House with any amendments which the Members have before them deemed adopted.

Second, I will, by unanimous consent, ask the Committee to authorize me to seek consideration of the rest of the bills on the agenda in the House under suspension of the rules with any amendments which the Members have before them deemed adopted. All Members will be permitted to insert statements into the record on any of the bills or resolutions considered today.

Therefore, I ask unanimous consent that the Committee order favorably reported the following bills: H.R. 4303, The American Schools Abroad Support Act, as amended, and H.R. 4654, To reauthorize the Tropical Forest Conservation Act of 1998 through Fiscal Year 2007. Is there any discussion?

[H.R. 4303, amendment to H.R. 4303 and H.R. 4654 follow:]

108TH CONGRESS
2D SESSION

H. R. 4303

To authorize the Secretary of State to make grants to American-sponsored schools in Arab and other predominantly Muslim countries to provide full or partial merit-based scholarships for children from lower- and middle-income families of such countries to attend such schools, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2004

Mr. BERMAN (for himself and Mr. KNOLLENBERG) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize the Secretary of State to make grants to American-sponsored schools in Arab and other predominantly Muslim countries to provide full or partial merit-based scholarships for children from lower- and middle-income families of such countries to attend such schools, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Schools
5 Abroad Support Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) During the 2003–2004 school year, the Of-
4 fice of Overseas Schools of the Department of State
5 is financially assisting 189 elementary and sec-
6 ondary schools in other countries.

7 (2) These “American-sponsored” schools serve
8 99,318 students, of whom 27,412 are United States
9 citizens.

10 (3) Twenty of these American-sponsored
11 schools—serving 10,907 students—are located in the
12 Near East and South Asia region, and other Amer-
13 ican-sponsored schools are located in countries with
14 significant Muslim populations in Africa, Central
15 Asia, and East Asia.

16 (4) American-sponsored schools provide an
17 American-style education in English, with curricula
18 that typically include an emphasis on the develop-
19 ment of critical thinking and analytical skills.

20 (5) In response to growing anti-American senti-
21 ment in Arab and other predominantly Muslim coun-
22 tries, the United States has placed a renewed em-
23 phasis on public diplomacy programs, with education
24 at the elementary, secondary, and university levels
25 representing an important part of that effort.

1 (6) Education is a key element of the efforts of
2 the United States to promote political, economic,
3 and social reform in Arab and predominantly Mus-
4 lim countries, and is one of the main components of
5 the Middle East Partnership Initiative.

6 (7) As active, vibrant institutions, American-
7 sponsored schools play a vital role in their local com-
8 munities, and help advance public diplomacy inter-
9 ests of the United States.

10 (8) The Department of State currently provides
11 funds to American-sponsored schools amounting
12 only, on average, to between one and two percent of
13 their annual operating expenses.

14 (9) The United States has an interest in in-
15 creasing the level of financial support provided to
16 American-sponsored schools in Arab and predomi-
17 nantly Muslim countries, in order to—

18 (A) increase the number of students in
19 such countries who attend such schools; and

20 (B) increase the number of young people
21 who may thereby gain at any early age an ap-
22 preciation for the culture, society, and history
23 of the United States.

24 (10) The United States has an interest in in-
25 creasing the number of students in Arab and pre-

1 dominately Muslim countries who attend American-
2 sponsored schools beyond those from affluent fami-
3 lies who are able to afford the cost of tuition, to in-
4 clude children from lower- and middle-income fami-
5 lies who otherwise might not be able to afford to at-
6 tend such schools.

7 (11) Many American-sponsored schools have the
8 capacity to increase the number of students who at-
9 tend such schools.

10 (12) The Department of State has legal author-
11 ity under the Mutual Educational and Cultural Ex-
12 change Act of 1961 (22 U.S.C. 2451 et seq.) (com-
13 monly referred to as the Fulbright-Hays Act) to pro-
14 vide increased financial support for American-spon-
15 sored schools.

16 **SEC. 3. SENSE OF CONGRESS.**

17 It is the sense of Congress that, based on the findings
18 contained in section 2, additional funds should be made
19 available to American-sponsored schools in Arab and pre-
20 dominately Muslim countries to provide full or partial
21 merit-based scholarships to children from lower- and mid-
22 dle-income families of such countries to attend such
23 schools.

1 **SEC. 4. GRANTS TO AMERICAN-SPONSORED SCHOOLS IN**
2 **ARAB AND OTHER PREDOMINANTLY MUSLIM**
3 **COUNTRIES TO PROVIDE SCHOLARSHIPS TO**
4 **STUDENTS.**

5 (a) GRANTS AUTHORIZED.—The Secretary of State,
6 acting through the Director of the Office of Overseas
7 Schools of the Department of State, may make grants to
8 American-sponsored schools in Arab and predominantly
9 Muslim countries for the purpose of providing full or par-
10 tial merit-based scholarships to students from lower- and
11 middle-income families of such countries to attend such
12 schools.

13 (b) DETERMINATION OF ELIGIBLE STUDENTS.—For
14 purposes of expending grant funds, an American-spon-
15 sored school that receives a grant under subsection (a) is
16 authorized to establish criteria to be implemented by such
17 school to determine what constitutes lower- and middle-
18 income families in the country (or region of the country,
19 if regional variations in income levels in the country are
20 significant) in which such school is located.

21 (c) RESTRICTION ON USE OF FUNDS.—Amounts ap-
22 propriated to the Secretary of State pursuant to the au-
23 thorization of appropriations in subsection (c) shall be
24 used for the sole purpose of making grants under this sec-
25 tion, and may not be used for the administration of the

7

6

1 Office of Overseas Schools of the Department of State or
2 any other activity of the Office.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated for each of fiscal years
5 2005 and 2006, \$15,000,000 to carry out subsection (a).

○

AMENDMENT TO H.R. 4303
OFFERED BY MR. BERMAN

Page 1, beginning line 4, strike “American Schools Abroad Support Act” and insert “American Education Promotion Act”.

Page 2, beginning line 10, strike paragraph (3) and insert the following:

1 (3) American-sponsored elementary and sec-
2 ondary schools are located in more than 20 countries
3 with significant Muslim populations in the Near
4 East, Africa, South Asia, Central Asia, and East
5 Asia.

Page 2, line 16, insert “elementary and secondary” after “American-sponsored”.

Page 3, line 7, insert “elementary and secondary” before “schools”.

Page 3, line 11, insert “elementary and secondary” after “American-sponsored”.

Page 3, line 16, insert “elementary and secondary” after “American-sponsored”.

Page 3, line 19, strike “and” at the end.

Page 3, line 23, strike the period and insert “; and”.

Page 3, after line 23, insert the following new subparagraph:

1 (C) increase the number of young people
2 who may thereby improve their proficiency in
3 the English language.

Page 4, line 2, insert “elementary and secondary”
before “schools”.

Page 4, line 7, insert “elementary and secondary”
after “American-sponsored”.

Page 4, line 15, insert “elementary and secondary”
before “schools”.

Page 4, line 19, insert “elementary and secondary”
after “American-sponsored”.

Page 5, line 8, insert “elementary and secondary”
after “American-sponsored”.

Page 6, line 5, strike “\$15,000,000” and insert
“\$5,000,000”.

Amend the title to read as follows: “A Bill to authorize the Secretary of State to make grants to American-sponsored elementary and secondary schools in Arab and other predominantly Muslim countries to provide full

or partial merit-based scholarships for children from lower- and middle-income families of such countries to attend such schools, and for other purposes.”.

.....
(Original Signature of Member)

108TH CONGRESS
2D SESSION

H. R. 4654

To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. PORTMAN (for himself, Mr. LANTOS [see attached list of cosponsors]) introduced the following bill; which was referred to the Committee on

A BILL

To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REDUCTION OF DEBT UNDER THE FOREIGN AS-**
2 **SISTANCE ACT OF 1961 AND TITLE I OF THE**
3 **AGRICULTURAL TRADE DEVELOPMENT AND**
4 **ASSISTANCE ACT OF 1954.**

5 Section 806(d) of the Tropical Forest Conservation
6 Act of 1998 (22 U.S.C. 2431d(d)) is amended by adding
7 at the end the following new paragraphs:

8 “(4) \$20,000,000 for fiscal year 2005.

9 “(5) \$25,000,000 for fiscal year 2006.

10 “(6) \$30,000,000 for fiscal year 2007.”.

11 **SEC. 2. USE OF FUNDS TO CONDUCT PROGRAM AUDITS**
12 **AND EVALUATIONS.**

13 Section 806 of the Tropical Forest Conservation Act
14 of 1998 (22 U.S.C. 2431d) is amended by adding at the
15 end the following new subsection:

16 “(e) USE OF FUNDS TO CONDUCT PROGRAM AUDITS
17 AND EVALUATIONS.—Of the amounts made available to
18 carry out this part for a fiscal year, \$200,000 is author-
19 ized to be made available to carry out audits and evalua-
20 tions of programs under this part, including personnel
21 costs associated with such audits and evaluations.”.

22 **SEC. 3. AUTHORITY TO ALLOW FOR PAYMENTS OF INTER-**
23 **EST AND PRINCIPAL IN LOCAL CURRENCIES.**

24 (a) AUTHORITY UNDER THE FOREIGN ASSISTANCE
25 ACT OF 1961.—Section 806(c) of the Tropical Forest

1 Conservation Act of 1998 (22 U.S.C. 2431d(c)) is
2 amended—

3 (1) in the matter preceding paragraph (1), by
4 striking “The following” and inserting “(1) The fol-
5 lowing”;

6 (2) by redesignating paragraphs (1) and (2) as
7 subparagraphs (A) and (B), respectively; and

8 (3) by adding at the end the following:

9 “(2) In addition to the application of the provisions
10 relating to repayment of principal under section 705 of
11 this Act to the reduction of debt under subsection (a)(1)
12 (in accordance with paragraph (1)(A) of this subsection),
13 repayment of principal on a new obligation established
14 under subsection (b) may be made in the local currency
15 of the beneficiary country and deposited in the Tropical
16 Forest Fund of the country in the same manner as the
17 provisions relating to payment of interest on new obliga-
18 tions under section 706 of this Act.”.

19 (b) AUTHORITY UNDER TITLE I OF THE AGRICUL-
20 TURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF
21 1954.—Section 807(c) of the Tropical Forest Conserva-
22 tion Act of 1998 (22 U.S.C. 2431e(c)) is amended—

23 (1) in the matter preceding paragraph (1), by
24 striking “The following” and inserting “(1) The fol-
25 lowing”;

1 (2) by redesignating paragraphs (1) and (2) as
2 subparagraphs (A) and (B), respectively; and

3 (3) by adding at the end the following:

4 “(2) In addition to the application of the provisions
5 relating to repayment of principal under section 605 of
6 the Agricultural Trade Development and Assistance Act
7 of 1954 to the reduction of debt under subsection (a)(1)
8 (in accordance with paragraph (1)(A) of this subsection),
9 repayment of principal on a new obligation established
10 under subsection (b) may be made in the local currency
11 of the beneficiary country and deposited in the Tropical
12 Forest Fund of the country in the same manner as the
13 provisions relating to payment of interest on new obliga-
14 tions under section 606 of such Act.”.

15 (c) CONFORMING AMENDMENT.—Section 810(a) of
16 the Tropical Forest Conservation Act of 1998 (22 U.S.C.
17 2431h(a)) is amended by inserting “and principal” after
18 “interest”.

**TROPICAL FOREST CONSERVATION ACT REAUTHORIZATION ORIGINAL
COSPONSORS
INTRODUCED BY REPRESENTATIVE ROB PORTMAN**

Lantos (listed on attached bill)

Ballenger

Royce

Ros-Lehtinen

Leach

Gallegly

Wexler

Faleomavaega

Sherman

Chabot

Houghton

Weller

Brown (OH)

Pickering

Oxley

Cardin

Slaughter

Camp

Tanner

Hobson

Shaw

Ford

Ehlers

LaTourette

Gutierrez

English

Pryce

Tiberi

Tauscher

Mr. LANTOS. Mr. Chairman.

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. Mr. Chairman, I want to commend you and the staff on both the Republican and Democratic side for working out this very complex set of bills. We have no objection on our side.

Chairman HYDE. Thank you. Without objection, it is so ordered, and I ask unanimous consent that the Chairman be authorized to seek consideration of the rest of the bills and resolutions on the Committee agenda under suspension of the rules and the amendments which the Members have before them be deemed adopted. Is there any further discussion? Mr. Rohrabacher.

[The bills, resolutions, and amendments referred to, follow:]

108TH CONGRESS
1ST SESSION

H. R. 1587

To promote freedom and democracy in Viet Nam.

IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2003

Mr. SMITH of New Jersey (for himself, Mr. ROYCE, Mr. ROHRBACHER, Mr. WOLF, Mr. SOUDER, Mr. PENCE, Mr. CROWLEY, Ms. LOFGREN, Ms. ROS-LEHTINEN, Mr. TOM DAVIS of Virginia, Mr. TOWNS, Mr. McNULTY, Ms. GINNY BROWN-WAITE of Florida, Mr. BALLENGER, Ms. LORETTA SANCHEZ of California, Mr. SAM JOHNSON of Texas, Mr. CLAY, Mr. BEAUPREZ, Mr. GREEN of Texas, Mr. ENGLISH, Mr. GREEN of Wisconsin, Ms. NORTON, Mr. WYNN, Mr. BELL, Mr. MORAN of Virginia, Mr. PAYNE, Mr. COX, Mr. GALLEGLY, Mr. MOORE, Mr. VAN HOLLEN, and Mr. WELDON of Pennsylvania) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote freedom and democracy in Viet Nam.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Viet Nam Human Rights Act of 2003”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purpose.

TITLE I—PROHIBITION ON NONHUMANITARIAN ASSISTANCE TO
THE GOVERNMENT OF VIET NAM

- Sec. 101. Bilateral nonhumanitarian assistance.
- Sec. 102. Multilateral nonhumanitarian assistance.

TITLE II—ASSISTANCE TO SUPPORT DEMOCRACY IN VIET NAM

- Sec. 201. Assistance.

TITLE III—UNITED STATES PUBLIC DIPLOMACY

- Sec. 301. Radio Free Asia transmissions to Viet Nam.
- Sec. 302. United States educational and cultural exchange programs with Viet Nam.

TITLE IV—UNITED STATES REFUGEE POLICY

- Sec. 401. Refugee resettlement for nationals of Viet Nam.

TITLE V—ANNUAL REPORT ON PROGRESS TOWARD FREEDOM
AND DEMOCRACY IN VIET NAM

- Sec. 501. Annual report.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

5 (1) Viet Nam is a one-party state, ruled and
6 controlled by the Vietnamese Communist Party.

7 (2)(A) The Government of Viet Nam denies the
8 people of Viet Nam the right to change their govern-
9 ment and prohibits independent political, social, and
10 labor organizations.

11 (B) The Government of Viet Nam prohibits and
12 hinders the formation of civil society in Viet Nam.

1 (3)(A) The Government of Viet Nam consist-
2 ently pursues a policy of harassment, discrimination,
3 and intimidation, and sometimes of imprisonment
4 and other forms of detention, against those who
5 peacefully express dissent from government or party
6 policy. This policy includes collectively punishing
7 family members of individuals targeted for persecu-
8 tion. A government decree allows detention without
9 trial for 6 months to 2 years.

10 (B) Following the United States ratification of
11 the Bilateral Trade Agreement with Viet Nam in
12 2001, the human rights situation in Viet Nam has
13 remained extremely poor. For certain groups, such
14 as the Montagnards, and other ethnic minorities in
15 Central and North Vietnam, conditions have deterio-
16 rated dramatically. In late 2002, the Government of
17 Viet Nam launched a fresh wave of arrests and
18 crackdowns against peaceful critics of the Viet-
19 namese Government, its policy of repression, and its
20 corrupt practices.

21 (C) Recent victims of such mistreatment, which
22 violates the rights to freedom of expression and as-
23 sociation recognized in the Universal Declaration of
24 Human Rights, include Dr. Nguyen Dan Que, a
25 leading human rights activist who was arrested on

1 March 17, 2003, and has already served two lengthy
2 prison sentences, Dr. Nguyen Thanh Giang, Most
3 Venerable Thich Huyen Quang, Most Venerable
4 Thich Quang Do, linguist Tran Khue, businessman
5 Nguyen Khac Toan, journalist Nguyen Vu Binh,
6 publicist Le Chi Quang, writer Hoang Tien, military
7 historian Pham Que Duong, Hoang Minh Chinh,
8 Tran Dung Tien, Hoang Trong Dung, Nguyen Vu
9 Viet, Nguyen Truc Cuong, Nguyen Thi Hoa, Vu Cao
10 Quan, Nguyen The Dam, Nguyen Thi Thanh Xuan,
11 Father Chan Tin, author Duong Thu Huong, poet
12 Bui Minh Quoc, Dr. Nguyen Xuan Tu (Ha Si Phu),
13 Dr. Pham Hong Son, Mai Thai Linh, Most Vener-
14 able Thich Huyen Quang, Most Venerable Thich
15 Quang Do, Father Nguyen Van Ly, Pastor Nguyen
16 Lap Ma, Father Phan Van Loi, numerous leaders of
17 the Hoa Hao Buddhist Church and of independent
18 Protestant churches, and an undetermined number
19 of members of the Montagnard ethnic minority
20 groups who participated in peaceful demonstrations
21 in the Central Highlands of Viet Nam during Feb-
22 ruary 2001.

23 (4) The Government of Viet Nam systematically
24 deprives its citizens of the fundamental right or
25 organized religious activities outside the state's con-

1 trol. Although some freedom of worship is permitted,
2 believers are forbidden to participate in religious ac-
3 tivities except under circumstances rigidly defined
4 and controlled by the Government:

5 (A)(i) In April, 1999 the Government
6 issued a Decree Concerning Religious Activities,
7 which declared in pertinent part that “[a]ll ac-
8 tivities using religious belief in order to oppose
9 the State of the Socialist Republic of Viet Nam,
10 to prevent the believers from carrying out civic
11 responsibilities, to sabotage the union of all the
12 people, and against the healthy culture of our
13 nation, as well as superstitious activities, will be
14 punished in conformity with the law”.

15 (ii) All public religious activities must be
16 approved by the Government in advance. The
17 United States Commission on International Re-
18 ligious Freedom in October 2002 recommended
19 that Viet Nam be classified as a country of par-
20 ticular concern. At its Seventh Plenum in Janu-
21 ary 2003, the Communist Party’s Central Com-
22 mittee issued a resolution calling for the estab-
23 lishment of cells of Communist Party members
24 within each of Vietnam’s 6 approved religions
25 in order to foil “hostile forces”.

1 (B)(i) The Unified Buddhist Church of
2 Viet Nam (UBCV), the largest religious de-
3 nomination in the country, has been declared il-
4 legal by the Government, and over the last 27
5 years its clergy have often been imprisoned and
6 subjected to other forms of persecution. The
7 Patriarch of the Unified Buddhist Church, 85-
8 year-old Most Venerable Thich Huyen Quang,
9 has been detained for 25 years in a ruined tem-
10 ple in an isolated area of central Viet Nam.

11 (ii) Most Venerable Thich Quang Do, the
12 Executive President of the Unified Buddhist
13 Church, has also been in various forms of de-
14 tention since 1977, and was recently rearrested
15 and placed under house arrest after he had pro-
16 posed to bring Most Venerable Thich Huyen
17 Quang to Saigon for medical treatment.

18 (iii) Many other leading Buddhist figures,
19 including Thich Hai Tang, Thich Khong Tanh,
20 Thich Thai Hoa, Thich Tue Si, Thich Quang
21 Hue, Thich Tam An, Thich Nguyen Ly, Thich
22 Thanh Huyen, Thich Thong Dat, Thich Chi
23 Mau, Thich Chi Thang, Thich Chon Niem,
24 Thich Thanh Quang are under tight surveil-

1 lance. Several members of the UBCV have fled
2 to Cambodia.

3 (C)(i) The Hao Hoa Buddhist Church was
4 also declared to be illegal until 1999, when the
5 Government established an organization which
6 purports to govern the Hao Hoa. According to
7 the United States Commission on International
8 Religious Freedom, “[t]his organization is made
9 up almost entirely of Communist Party mem-
10 bers and apparently is not recognized as legiti-
11 mate by the vast majority of Hao Hoas . . .
12 [n]evertheless, [this government-sponsored or-
13 ganization] has sought to control all Hao Hoa
14 religious activity, particularly at the Hao Hoa
15 village, which is the center of Hao Hoa religious
16 life”.

17 (ii)(I) Hao Hoa believers who do not recog-
18 nize the legitimacy of the government organiza-
19 tion are denied the right to visit the Hao Hoa
20 village, to conduct traditional religious celebra-
21 tions, or to display Hao Hoa symbols. Many
22 have been arrested and subjected to administra-
23 tive detention, and several Hao Hoa have been
24 sentenced to prison terms for protesting these
25 denials of religious freedom.

1 (II) The Government interferes with Hao
2 Hoa efforts to conduct charitable works, and
3 prohibits public celebration to commemorate the
4 founder's disappearance as well as the distribu-
5 tion of the founder's teachings. The Govern-
6 ment controls greatly the leadership selection
7 process of the Cao Dais, another indigenous Vi-
8 etnamese religion.

9 (III) At least the following Hao Hoa be-
10 lievers are known to be in prison or house de-
11 tention: Ha Hai, Tran Van Be Cao, Tran
12 Nguyen Huon, Phan Thi Tiem, Le Quang
13 Liem, Nguyen Van Dien, Le Minh Triet, and
14 Vo Van Thanh Liem.

15 (D)(i) Independent Protestants, most of
16 whom are members of ethnic minority groups,
17 are subjected to particularly harsh treatment by
18 the Government of Viet Nam. According to the
19 United States Commission on International Re-
20 ligious Freedom, such treatment includes "po-
21 lice raids on homes and house churches, deten-
22 tion, imprisonment, confiscation of religious and
23 personal property, physical and psychological
24 abuse, and fines for engaging in unapproved re-
25 ligious activities (such as collective worship,

1 public religious expression and distribution of
2 religious literature, and performing baptisms,
3 marriages, or funeral services) . . . [i]n addi-
4 tion, it is reported that ethnic Hmong Protes-
5 tants have been forced by local officials to agree
6 to abandon their faith”.

7 (ii)(I) According to human rights activists
8 in Viet Nam, 2 secret central plans—Plan
9 184A and 184B—issued in 1999 by the Com-
10 munist Party to combat Protestant believers
11 were fully implemented throughout the country,
12 and led to a crackdown on the Protestant move-
13 ment, especially in the Central and Northern
14 Highland areas.

15 (II) An estimated 14,000 Christians fled
16 from the North to the Central Highlands in the
17 past 5 years. According to the Southern Evan-
18 gelical Church of Viet Nam, the Government of
19 Viet Nam forcibly closed 354 of the 412
20 churches in Dak Lak province, 56 pastors from
21 the Central Highlands have disappeared, and at
22 least 43 evangelical Montagnards have been
23 sentenced to prison. Freedom House has re-
24 ported on the beating death of Hmong Chris-
25 tian Mua Bua Senh by police authorities.

1 (E)(i) Other religious organizations, such
2 as the Catholic Church, are formally recognized
3 by the Government but are subjected to perva-
4 sive regulation which violates the right to free-
5 dom of religion. For instance, the Catholic
6 Church is forbidden to appoint its own bishops
7 without Government consent, which is fre-
8 quently denied, to accept seminarians without
9 specific official permission, and to profess
10 Catholic doctrines which are inconsistent with
11 Government policy. Government restrictions on
12 the seminary process have caused a severe
13 shortage of priests.

14 (ii) A Catholic priest, Father Nguyen Van
15 Ly, was arrested in March 2001 and remains in
16 detention after submitting written testimony to
17 the United States Commission on International
18 Religious Freedom. On October 19, 2001, he
19 was sentenced to a total of 20 years of impris-
20 onment and house arrest; the trial in Hue took
21 place closed to the public and without a defense
22 lawyer.

23 (iii) In October 2002, the Vietnamese
24 Bishops Conference took an unprecedented step
25 when they protested to the National Assembly

1 about the persecutions endured by Catholic eth-
2 nic minorities.

3 (F) The Government has also confiscated
4 numerous churches, temples, and other prop-
5 erties belonging to religious organizations. The
6 vast majority of these properties—even those
7 belonging to religious organizations formally
8 recognized by the Government—have never
9 been returned.

10 (5)(A) Since 1975 the Government of Viet Nam
11 has persecuted veterans of the Army of the Republic
12 of Viet Nam and other Vietnamese who had opposed
13 the Viet Cong insurgency and the North Vietnamese
14 invasion of South Viet Nam. Such persecution typi-
15 cally included substantial terms in “re-education
16 camps”, where detainees were often subjected to tor-
17 ture and other forms of physical abuse, and in which
18 many died.

19 (B) Re-education camp survivors and their fam-
20 ilies were often forced into internal exile in “New
21 Economic Zones”. Many of these former allies of the
22 United States, as well as members of their families,
23 continue until the present day to suffer various
24 forms of harassment and discrimination, including

1 denial of basic social benefits and exclusion from
2 higher education and employment.

3 (6)(A) The Government of Viet Nam has been
4 particularly harsh in its treatment of members of
5 the Montagnard ethnic minority groups of the Cen-
6 tral Highlands of Viet Nam, who were the first line
7 in the defense of South Viet Nam against invasion
8 from the North and who fought courageously beside
9 members of the Special Forces of the United States,
10 suffering disproportionately heavy casualties, and
11 saving the lives of many of their American and Viet-
12 namese comrades-in-arms.

13 (B) Since 1975 the Montagnard peoples have
14 been singled out for severe repression, in part be-
15 cause of their past association with the United
16 States and in part because their strong commitment
17 to their traditional way of life and to their Christian
18 religion is regarded as inconsistent with the absolute
19 loyalty and control demanded by the Communist sys-
20 tem. The Government employs a policy of assimi-
21 lation and oppression against the Montagnards, fore-
22 ibly displacing them from their ancestral lands to
23 make way for North Vietnamese settlers, coffee
24 plantations, and logging operations.

1 (C) Between February and March 2001, several
2 thousand members of the mountain tribes Djarai,
3 Bahnar, and Rhadé from the provinces of Pleiku,
4 Gialai, and Daklak took part in a series of peaceful
5 demonstrations to demand the release of 2
6 Montagnard Christians, religious freedom and res-
7 toration of their confiscated lands. The Government
8 responded by closing off the Central Highlands and
9 sending in military forces, tanks, and helicopter
10 gunships. Hundreds of demonstrators were injured.
11 Altogether, more than 200 people, among them 60
12 evangelical priests and tribal chieftains, were ar-
13 rested. Some regions of the Central Highlands re-
14 main closed to journalists and foreign diplomats.

15 (D) Credible reports by refugees who have es-
16 caped to Cambodia indicate that the Government
17 has executed some participants in the demonstra-
18 tions and has subjected others to imprisonment, tor-
19 ture, and other forms of physical abuse.

20 (E) The Government of Viet Nam has also
21 taken steps to prevent further Montagnards from es-
22 caping, and there are credible reports that Viet-
23 nameese security forces in Cambodia are offering
24 bounties for the surrender of Montagnard asylum
25 seekers.

1 (F) According to Human Rights Watch, in De-
2 cember 2002 “[The Government] arrested or de-
3 tained dozens of highlanders and banned Christmas
4 church services in order to prevent minority Chris-
5 tians from gathering. Six highlanders were detained
6 during the third week in December in Krong Ana
7 and Cu Jut districts, Dak Lak, during Christmas
8 prayer services, while another eight were taken into
9 custody as they were attempting to cross the border
10 to Cambodia. Villagers throughout the Central High-
11 lands were warned they would face fines and even
12 imprisonment if they organized Christmas services.
13 In many areas authorities banned gatherings of four
14 or more people.”.

15 (7) The Government of Viet Nam has also per-
16 secuted members of other ethnic minority groups, in-
17 cluding the Khmer Krom from the Mekong Delta,
18 many of whom fought alongside United States mili-
19 tary personnel during the Viet Nam war and whose
20 Hinayana Buddhist religion is not among those rec-
21 ognized by the Government.

22 (8) The Government of Viet Nam also engages
23 in or condones serious violations of the rights of
24 workers. In August 1997, the United Nations Chil-
25 dren’s Fund (UNICEF) reported that child labor ex-

1 ploitation is on the rise in Viet Nam with tens of
2 thousands of children under 15 years of age being
3 subjected to such exploitation. The government's of-
4 ficial labor export program also has subjected work-
5 ers, many of whom are women, to involuntary ser-
6 vitude, debt bondage, and other forms of abuse, and
7 the reaction of government officials to worker com-
8 plaints of such abuse has been to threaten the work-
9 ers with punishment if they do not desist in their
10 complaints. The government of Viet Nam has made
11 some minor efforts to improve this situation, but en-
12 forcement of child labor laws remains weak, and the
13 child exploitation still persists.

14 (9)(A) United States refugee resettlement pro-
15 grams for Vietnamese nationals, including the Or-
16 derly Departure Program (ODP), the Resettlement
17 Opportunities for Returning Vietnamese (ROVR)
18 program, and resettlement of boat people from ref-
19 ugee camps throughout Southeast Asia, were author-
20 ized by law in order to rescue Vietnamese nationals
21 who have suffered persecution on account of their
22 wartime associations with the United States, as well
23 as those who currently have a well-founded fear of
24 persecution on account of race, religion, nationality,

1 political opinion, or membership in a particular so-
2 cial group.

3 (B) In general, these programs have served
4 their purpose well. However, many refugees who
5 were eligible for these programs were unfairly denied
6 or excluded, in some cases by vindictive or corrupt
7 Communist officials who controlled access to the
8 programs, and in others by United States personnel
9 who imposed unduly restrictive interpretations of
10 program criteria. These unfairly excluded refugees
11 include some of those with the most compelling
12 cases, including many Montagnard combat veterans
13 and their families.

14 (C) The Department of State has agreed to ex-
15 tend the September 30, 1994, registration deadline
16 for former United States employees, “re-education”
17 survivors, and surviving spouses of those who did
18 not survive “re-education” camps to sign up for
19 United States refugee programs.

20 (D) The Department of State has agreed to re-
21 sume the Vietnamese In-Country Priority One Pro-
22 gram in Viet Nam to provide protection to victims
23 of persecution on account of race, religion, nation-
24 ality, political opinion, or membership in a particular

1 social group who otherwise have no access to the Or-
2 derly Departure Program.

3 (E) The Bureau of Citizenship and Immigra-
4 tion Service in the Department of Homeland Secu-
5 rity has agreed to resume the processing of former
6 United States employees under the U11 program,
7 which had been unilaterally suspended by the United
8 States Government.

9 (F) The Bureau of Citizenship and Immigration
10 Service has agreed to review the applications of
11 Amerasians, children of American servicemen left
12 behind in Viet Nam after the war ended in April
13 1975, for resettlement to the United States under
14 the Amerasian Homecoming Act of 1988.

15 (10) The Government of Viet Nam systemati-
16 cally jams broadcasts by Radio Free Asia, an inde-
17 pendent broadcast service funded by the United
18 States in order to provide news and entertainment
19 to the people of countries in Asia whose governments
20 deny the right to freedom of expression and of the
21 press.

22 (11) In 1995 the Governments of the United
23 States and Viet Nam announced the “normaliza-
24 tion” of diplomatic relations. In 1998 then-President
25 Clinton waived the application of section 402 of the

1 Trade Act of 1974 (commonly known as the “Jack-
2 son-Vanik Amendment”), which restricts economic
3 assistance to countries with non-market economies
4 whose governments also restrict freedom of emigra-
5 tion. In 1999 the Governments of the United States
6 and Viet Nam announced “an agreement in prin-
7 ciple” on a bilateral trade agreement. This agree-
8 ment was signed in 2000 and came into effect on
9 December 10, 2001.

10 (12) The Congress and the American people are
11 united in their determination that the extension or
12 expansion of trade relations with a country whose
13 government engages in serious and systematic viola-
14 tions of fundamental human rights must not be con-
15 strued as a statement of approval or complacency
16 about such practices. The promotion of freedom and
17 democracy around the world—and particularly for
18 people who have suffered in large part because of
19 their past associations with the United States and
20 because they share our values—is and must continue
21 to be a central objective of United States foreign
22 policy.

23 **SEC. 3. PURPOSE.**

24 The purpose of this Act is to promote the develop-
25 ment of freedom and democracy in Viet Nam.

1 **TITLE I—PROHIBITION ON NON-**
2 **HUMANITARIAN ASSISTANCE**
3 **TO THE GOVERNMENT OF**
4 **VIET NAM**

5 **SEC. 101. BILATERAL NONHUMANITARIAN ASSISTANCE.**

6 (a) ASSISTANCE.—

7 (1) IN GENERAL.—Except as provided in sub-
8 section (b), United States nonhumanitarian assist-
9 ance may not be provided to the Government of Viet
10 Nam—

11 (A) for fiscal year 2004 unless not later
12 than 30 days after the date of the enactment of
13 this Act the President determines and certifies
14 to Congress that the requirements of subpara-
15 graphs (A) through (D) of paragraph (2) have
16 been met during the 12-month period ending on
17 the date of the certification; and

18 (B) for each subsequent fiscal year unless
19 the President determines and certifies to Con-
20 gress in the most recent annual report sub-
21 mitted pursuant to section 501 that the re-
22 quirements of subparagraphs (A) through (E)
23 of paragraph (2) have been met during the 12-
24 month period covered by the report.

1 (2) REQUIREMENTS.—The requirements of this
2 paragraph are that—

3 (A) the Government of Viet Nam has made
4 substantial progress toward releasing all polit-
5 ical and religious prisoners from imprisonment,
6 house arrest, and other forms of detention;

7 (B)(i) the Government of Viet Nam has
8 made substantial progress toward respecting
9 the right to freedom of religion, including the
10 right to participate in religious activities and in-
11 stitutions without interference by or involve-
12 ment of the Government; and

13 (ii) has made substantial progress toward
14 returning estates and properties confiscated
15 from the churches;

16 (C) the Government of Viet Nam has made
17 substantial progress toward allowing Viet-
18 nameese nationals free and open access to
19 United States refugee programs;

20 (D) the Government of Viet Nam has
21 made substantial progress toward respecting
22 the human rights of members of ethnic minority
23 groups in the Central Highlands or elsewhere in
24 Viet Nam; and

1 (E)(i) neither any official of the Govern-
2 ment of Viet Nam nor any agency or entity
3 wholly or partly owned by the Government of
4 Viet Nam was complicit in a severe form of
5 trafficking in persons; or

6 (ii) the Government of Viet Nam took all
7 appropriate steps to end any such complicity
8 and hold such official, agency, or entity fully
9 accountable for its conduct.

10 (b) EXCEPTION.—

11 (1) IN GENERAL.—Subsection (a) shall not
12 apply for any fiscal year with respect to the provi-
13 sion of United States nonhumanitarian assistance
14 for any program or activity for which such assist-
15 ance was provided to the Government of Viet Nam
16 for fiscal year 2003 in an amount not to exceed the
17 amount so provided for fiscal year 2003.

18 (2) CONTINUATION OF ASSISTANCE IN THE NA-
19 TIONAL INTEREST.—Notwithstanding the failure of
20 the Government of Viet Nam to meet the require-
21 ments of subsection (a)(2), the President may waive
22 the application of subsection (a) for any fiscal year
23 if the President determines that the provision to the
24 Government of Viet Nam of increased United States
25 nonhumanitarian assistance would promote the pur-

1 poses of this Act or is otherwise in the national in-
2 terest of the United States.

3 (3) EXERCISE OF WAIVER AUTHORITY.—The
4 President may exercise the authority under para-
5 graph (2) with respect to—

6 (A) all United States nonhumanitarian as-
7 sistance to Viet Nam; or

8 (B) one or more programs, projects, or ac-
9 tivities of such assistance.

10 (c) DEFINITIONS.—In this section:

11 (1) SEVERE FORM OF TRAFFICKING IN PER-
12 SONS.—The term “severe form of trafficking in per-
13 sons” means any activity described in section 103(8)
14 of the Trafficking Victims Protection Act of 2000
15 (Public Law 106–386 (114 Stat. 1470); 22 U.S.C.
16 7102(8)).

17 (2) UNITED STATES NONHUMANITARIAN AS-
18 SISTANCE.—The term “United States nonhumani-
19 tarian assistance” means—

20 (A) any assistance under the Foreign As-
21 sistance Act of 1961 (including programs under
22 title IV of chapter 2 of part I of that Act, relat-
23 ing to the Overseas Private Investment Cor-
24 poration), other than—

1 (i) disaster relief assistance, including
2 any assistance under chapter 9 of part I of
3 that Act;

4 (ii) assistance which involves the pro-
5 vision of food (including monetization of
6 food) or medicine; and

7 (iii) assistance for refugees; and

8 (B) sales, or financing on any terms, under
9 the Arms Export Control Act.

10 **SEC. 102. MULTILATERAL NONHUMANITARIAN ASSIST-**
11 **ANCE.**

12 (a) HUMAN RIGHTS.—The President shall ensure
13 that section 701 of the International Financial Institu-
14 tions Act (22 U.S.C. 262d), relating to human rights, is
15 carried out with respect to Viet Nam.

16 (b) RELIGIOUS FREEDOM.—The President shall in-
17 struct the United States Executive Directors at the World
18 Bank and the International Monetary Fund to use the
19 voice and vote of the United States to oppose any loans
20 or other assistance (except loans or assistance for humani-
21 tarian purposes) to the Government of Viet Nam until the
22 President determines that the Government of Viet Nam
23 has made substantial progress to protect religious free-
24 dom.

1 **TITLE II—ASSISTANCE TO SUP-**
2 **PORT DEMOCRACY IN VIET**
3 **NAM**

4 **SEC. 201. ASSISTANCE.**

5 (a) IN GENERAL.—The President is authorized to
6 provide assistance, through appropriate nongovernmental
7 organizations, for the support of individuals and organiza-
8 tions to promote internationally recognized human rights
9 in Viet Nam.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to the President to carry
12 out subsection (a) \$2,000,000 for each of the fiscal years
13 2004 and 2005.

14 **TITLE III—UNITED STATES**
15 **PUBLIC DIPLOMACY**

16 **SEC. 301. RADIO FREE ASIA TRANSMISSIONS TO VIET NAM.**

17 (a) POLICY OF THE UNITED STATES.—It is the pol-
18 icy of the United States to take such measures as are nec-
19 essary to overcome the jamming of Radio Free Asia by
20 the Government of Viet Nam.

21 (b) AUTHORIZATION OF APPROPRIATIONS.—In addi-
22 tion to such amounts as are otherwise authorized to be
23 appropriated for the Broadcasting Board of Governors,
24 there are authorized to be appropriated to carry out the

1 policy under subsection (a) \$9,100,000 for the fiscal year
2 2004 and \$1,100,000 for the fiscal year 2005.

3 **SEC. 302. UNITED STATES EDUCATIONAL AND CULTURAL**
4 **EXCHANGE PROGRAMS WITH VIET NAM.**

5 It is the policy of the United States that programs
6 of educational and cultural exchange with Viet Nam
7 should actively promote progress toward freedom and de-
8 mocracy in Viet Nam by providing opportunities to Viet-
9 name nationals from a wide range of occupations and
10 perspectives to see freedom and democracy in action and,
11 also, by ensuring that Vietnamese nationals who have al-
12 ready demonstrated a commitment to these values are in-
13 cluded in such programs.

14 **TITLE IV—UNITED STATES**
15 **REFUGEE POLICY**

16 **SEC. 401. REFUGEE RESETTLEMENT FOR NATIONALS OF**
17 **VIET NAM.**

18 (a) POLICY OF THE UNITED STATES.—It is the pol-
19 icy of the United States to offer refugee resettlement to
20 nationals of Viet Nam (including members of the
21 Montagnard ethnic minority groups) who were eligible for
22 the Orderly Departure Program (ODP), Resettlement Op-
23 portunities for Vietnamese Returnees (ROVR) or any
24 other United States refugee program and who were
25 deemed ineligible due to administrative error or who for

1 reasons beyond the control of such individuals (including
2 insufficient or contradictory information or the inability
3 to pay bribes demanded by officials of the Government of
4 Viet Nam) were unable or failed to apply for such pro-
5 grams in compliance with deadlines imposed by the De-
6 partment of State.

7 (b) AUTHORIZED ACTIVITY.—Of the amounts au-
8 thorized to be appropriated to the Department of State
9 for Migration and Refugee Assistance for each of the fiscal
10 years 2004, 2005, and 2006, such sums as may be nec-
11 essary are authorized to be made available for the protec-
12 tion (including resettlement in appropriate cases) of Viet-
13 nameese refugees and asylum seekers, including
14 Montagnards in Cambodia.

15 **TITLE V—ANNUAL REPORT ON**
16 **PROGRESS TOWARD FREE-**
17 **DOM AND DEMOCRACY IN**
18 **VIET NAM**

19 **SEC. 501. ANNUAL REPORT.**

20 (a) IN GENERAL.—Not later than 6 months after the
21 date of the enactment of this Act and every 12 months
22 thereafter, the Secretary of State shall submit to the Con-
23 gress a report on the following:

24 (1)(A) The determination and certification of
25 the President that the requirements of subpara-

1 graphs (A) through (D) of section 101(a)(2) have
2 been met, if applicable.

3 (B) The determination of the President under
4 section 101(b)(2), if applicable.

5 (2) Efforts by the United States Government to
6 secure transmission sites for Radio Free Asia in
7 countries in close geographical proximity to Viet
8 Nam in accordance with section 301(a).

9 (3) Efforts to ensure that programs with Viet
10 Nam promote the policy set forth in section 302 and
11 with section 102 of the Human Rights, Refugee, and
12 Other Foreign Policy Provisions Act of 1996 regard-
13 ing participation in programs of educational and cul-
14 tural exchange.

15 (4) Steps taken to carry out the policy under
16 section 401(a).

17 (5) Actions of the Government of Viet Nam
18 which reflect compliance with or violation of human
19 rights, in particular, those contained in the Inter-
20 national Covenant on Civil and Political Rights and
21 in the Universal Declaration of Human Rights, in-
22 cluding, but not limited to, effectively affording—

23 (A) the right to engage in free expression;

24 (B) the right to peaceful assembly;

1 (C) religious freedom, including the right
2 to worship, to appoint clergy members, to form
3 religious associations and institutions, to par-
4 ticipate in religious activities, and to conduct
5 charity work free of involvement of and inter-
6 ference by the government;

7 (D) the right to establish nongovernmental
8 organizations and civic associations;

9 (E) the right to liberty of movement and
10 freedom to choose a residence within Viet Nam
11 and the right to leave from and return to Viet
12 Nam;

13 (F) the right of a criminal defendant—

14 (i) to be tried in his or her presence,
15 and to defend himself or herself in person
16 or through legal assistance of his or her
17 own choosing;

18 (ii) to be informed, if he or she does
19 not have legal assistance, of the right set
20 forth in clause (i);

21 (iii) to have legal assistance assigned
22 to him or her in any case in which the in-
23 terests of justice so require and without
24 payment by him or her in any such case if

1 he or she does not have sufficient means to
2 pay for it;

3 (iv) to a fair and public hearing by a
4 competent, independent, and impartial tri-
5 bunal established by the law;

6 (v) to be presumed innocent until
7 proved guilty according to law; and

8 (vi) to be tried without undue delay;

9 (G) the right to be free from torture and
10 other forms of cruel or unusual punishment;

11 (H) protection of internationally recognized
12 worker rights;

13 (I) freedom from incarceration as punish-
14 ment for political opposition to the government;

15 (J) freedom from incarceration as punish-
16 ment for exercising or advocating human rights
17 (including those described in this section);

18 (K) freedom from arbitrary arrest, deten-
19 tion, or exile;

20 (L) the right to fair and public hearings by
21 an independent tribunal for the determination
22 of a citizen's rights and obligations; and

23 (M) free choice of employment.

24 (6) Lists of persons believed to be imprisoned,
25 detained, or placed under house arrest, tortured, or

1 otherwise persecuted by the Government of Viet
2 Nam due to their pursuit of the rights described in
3 paragraph (5). In compiling such lists, the Secretary
4 shall exercise appropriate discretion, including con-
5 cerns regarding the safety and security of, and ben-
6 efit to, the persons who may be included on the lists
7 and their families. In addition, the Secretary shall
8 include a list of such persons and their families who
9 may qualify for protection under United States ref-
10 ugee programs.

11 (7) A description of the development of the rule
12 of law in Viet Nam, including, but not limited to—

13 (A) progress toward the development of in-
14 stitutions of democratic governance;

15 (B) processes by which statutes, regula-
16 tions, rules, and other legal acts of the Govern-
17 ment of Viet Nam are developed and become
18 binding within Viet Nam;

19 (C) the extent to which statutes, regula-
20 tions, rules, administrative and judicial deci-
21 sions, and other legal acts of the Government of
22 Viet Nam are published and are made acces-
23 sible to the public;

24 (D) the extent to which administrative and
25 judicial decisions are supported by statements

1 of reasons that are based upon written statutes,
2 regulations, rules and other legal acts of the
3 Government of Viet Nam;

4 (E) the extent to which individuals are
5 treated equally under the laws of Viet Nam
6 without regard to citizenship, race, religion, po-
7 litical opinion, or current or former associa-
8 tions;

9 (F) the extent to which administrative and
10 judicial decisions are independent of political
11 pressure or governmental interference and are
12 reviewed by entities of appellate jurisdiction;
13 and

14 (G) the extent to which laws in Viet Nam
15 are written and administered in ways that are
16 consistent with international human rights
17 standards, including the requirements of the
18 International Covenant on Civil and Political
19 Rights.

20 (8) A description of projects funded by multilat-
21 eral organizations operating in Viet Nam, including
22 projects funded by the World Bank, International
23 Monetary Fund, Asian Development Bank, United
24 Nations, and Global Fund.

1 (b) CONTACTS WITH OTHER ORGANIZATIONS.—In
2 preparing the report under subsection (a), the Secretary
3 shall, as appropriate, seek out and maintain contacts with
4 nongovernmental organizations and human rights advo-
5 cates (including Vietnamese-Americans, human rights ad-
6 vocates in Viet Nam), including receiving reports and up-
7 dates from such organizations and evaluating such re-
8 ports. The Secretary shall also seek to consult with the
9 United States Commission on Religious Freedom for ap-
10 propriate sections of the report.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1587
OFFERED BY MR. SMITH OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Vietnam Human Rights Act of 2004”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—CONDITIONS ON INCREASED NONHUMANITARIAN
ASSISTANCE TO THE GOVERNMENT OF VIETNAM

Sec. 101. Bilateral nonhumanitarian assistance.

TITLE II—ASSISTANCE TO SUPPORT HUMAN RIGHTS AND
DEMOCRACY IN VIETNAM

Sec. 201. Assistance.

TITLE III—UNITED STATES PUBLIC DIPLOMACY

Sec. 301. Radio Free Asia transmissions to Vietnam.
Sec. 302. United states educational and cultural exchange programs with Viet-
nam.

TITLE IV—UNITED STATES REFUGEE POLICY

Sec. 401. Refugee resettlement for nationals of Vietnam.

TITLE V—ANNUAL REPORT ON PROGRESS TOWARD FREEDOM
AND DEMOCRACY IN VIETNAM

Sec. 501. Annual report.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The Socialist Republic of Vietnam is a one
4 party State, ruled, and controlled by the Communist
5 Party of Vietnam (CPV), which continues to deny
6 the right of citizens to change their government. Al-
7 though in recent years the National Assembly of
8 Vietnam has played an increasingly active role as a
9 forum for highlighting local concerns, corruption,
10 and inefficiency, the National Assembly remains sub-
11 ject to CPV direction. The CPV maintains control
12 over the selection of candidates in national and local
13 elections.

14 (2) The Government of Vietnam permits no
15 public challenge to the legitimacy of the one-party
16 State. It prohibits independent political, labor, and
17 social organizations, and it continues to detain and
18 imprison persons for the peaceful expression of dis-
19 senting religious and political views, including Pham
20 Hong Son, Tran Dung Tien, Father Nguyen Van
21 Ly, Dr. Nguyen Dan Que, Nguyen Vu Binh, Pham
22 Que Duong, and Pastor Nguyen Hong Quang,
23 among others.

24 (3) The Government of Vietnam continues to
25 commit serious human rights abuses. In January
26 2004, the Department of State reported to Congress

1 that during the previous year the Government of
2 Vietnam had made “no progress” toward releasing
3 political and religious activists, ending official re-
4 strictions on religious activity, or respecting the
5 rights of indigenous minorities in the Central and
6 Northern Highlands of Vietnam.

7 (4)(A) The Government of Vietnam limits free-
8 dom of religion and restricts the operation of reli-
9 gious organizations other than those approved by the
10 State. While officially sanctioned religious organiza-
11 tions are able to operate with varying degrees of au-
12 tonomy, some of those organizations continue to face
13 restrictions on selecting, training, and ordaining suf-
14 ficient numbers of clergy and in conducting edu-
15 cational and charitable activities. The Government
16 has previously confiscated numerous churches, tem-
17 ples, and other properties belonging to religious or-
18 ganizations, most of which have never been returned.

19 (B) Unregistered ethnic minority Protestant
20 congregations in the Northwest and Central High-
21 lands of Vietnam suffer severe abuses, which have
22 included forced renunciations of faith, the closure
23 and destruction of churches, the arrest and harass-
24 ment of pastors, and, in a few cases, there have been

1 credible reports that minority religious leaders have
2 been beaten and killed.

3 (C) The Unified Buddhist Church of Vietnam
4 (UBCV), one of the largest religious denominations
5 in Vietnam, was declared illegal in 1981. The Gov-
6 ernment of Vietnam confiscated its temples and per-
7 secuted its clergy for refusing to join the state-spon-
8 sored Buddhist organizations. For more than 2 dec-
9 ades, the Government has detained and confined
10 senior UBCV clergy, including the Most Venerable
11 Thich Huyen Quang, the Most Venerable Thich
12 Quang Do, the Venerable Thich Tue Sy, and others.

13 (D) The Catholic Church continues to face sig-
14 nificant restrictions on the training and ordination
15 of priests and bishops, resulting in numbers insuffi-
16 cient to support the growing Catholic population in
17 Vietnam. Although recent years have brought a
18 modest easing of government control in some dio-
19 ceses, officials in other areas strictly limit the con-
20 duct of religious education classes and charitable ac-
21 tivities. Father Thaddeus Nguyen Van Ly, who was
22 convicted in a closed trial in 2001 after publicly
23 criticizing religious repression by the Government of
24 Vietnam, remains in prison.

1 (E) The Government of Vietnam continues to
2 suppress the activities of other religious believers, in-
3 cluding Cao Dai, Baha'i, and Hoa Hao who lack of-
4 ficial recognition or have chosen not to affiliate with
5 the State-sanctioned groups, including through the
6 use of detention and imprisonment.

7 (5) The Government of Vietnam significantly
8 restricts the freedoms of speech and the press, par-
9 ticularly with respect to political and religious
10 speech. Government and Party-related organizations
11 control all print and electronic media, including ac-
12 cess to the Internet. The Government blocks web
13 sites that it deems politically or culturally inappro-
14 priate, and it jams some foreign radio stations, in-
15 cluding Radio Free Asia. The Government has de-
16 tained, convicted, and imprisoned individuals who
17 have posted or sent democracy related materials via
18 the Internet.

19 (6)(A) Indigenous Montagnards in the Central
20 Highlands of Vietnam continue to face significant
21 repression. The Government of Vietnam restricts the
22 practice of Christianity by those populations, and
23 more than 100 Montagnards have been sentenced to
24 prison terms of up to 13 years for claiming land

1 rights, organizing Christian gatherings, or attempt-
2 ing to seek asylum in Cambodia.

3 (B) The Government of Vietnam uses the sepa-
4 ratist agenda of a relatively small number of ethnic
5 minority leaders as a rationale for violating civil and
6 political rights in ethnic minority regions.

7 (C) The Government of Vietnam arrested or de-
8 tained nearly 300 Montagnards during 2003 and
9 since then many hundreds of Montagnards have
10 gone into hiding, fearing arrest, interrogation, or
11 physical abuse by government authorities.

12 (D) During Easter weekend in April 2004,
13 thousands of Montagnards gathered to protest their
14 treatment by the Government of Vietnam, including
15 the confiscation of tribal lands and ongoing restric-
16 tions on religious activities. Credible reports indicate
17 that the protests were met with a violent response
18 and that many demonstrators were arrested, injured,
19 or are in hiding, and that others were killed.

20 (E) Government officials continue to restrict ac-
21 cess to the Central and Northwest Highlands of
22 Vietnam by diplomats, nongovernmental organiza-
23 tions, journalists, and other foreigners, making it
24 difficult to verify conditions in those areas.

1 (7)(A) United States refugee resettlement
2 programs for Vietnamese nationals, including the Or-
3 derly Departure Program (ODP), the Resettlement
4 Opportunities for Returning Vietnamese (ROVR)
5 program, the Priority One (P1) program and the re-
6 settlement of boat people from refugee camps
7 throughout Southeast Asia, were authorized by law
8 in order to rescue Vietnamese nationals who have
9 suffered persecution on account of their wartime as-
10 sociations with the United States, as well as those
11 who currently have a well-founded fear of persecu-
12 tion on account of race, religion, nationality, political
13 opinion, or membership in a particular social group.

14 (B) While those programs have served their
15 purposes well, a significant number of eligible refu-
16 gees were unfairly denied or excluded, in some cases
17 by vindictive or corrupt Vietnamese officials who
18 controlled access to the programs, and in others by
19 United States personnel who imposed unduly restric-
20 tive interpretations of program criteria.

21 (C) The Department of State has agreed to ex-
22 tend the September 30, 1994, registration deadline
23 for former United States employees, “re-education”
24 survivors, and surviving spouses of those who did
25 not survive “re-education” camps to sign up for

1 United States refugee programs, as well as to re-
2 sume the Vietnamese In-Country Priority One Pro-
3 gram in Vietnam to provide protection to victims of
4 persecution on account of race, religion, nationality,
5 political opinion, or membership in a particular so-
6 cial group who otherwise have no access to the Or-
7 derly Departure Program.

8 (D) The U.S. Citizenship and Immigration
9 Services of the Department of Homeland Security
10 has agreed to resume the processing of former
11 United States employees under the U11 program,
12 which had been unilaterally suspended by the United
13 States Government, as well as to review the applica-
14 tions of Amerasians, children of American service-
15 men left behind in Vietnam after the war ended in
16 April 1975, for resettlement to the United States
17 under the Amerasian Homecoming Act of 1988.

18 (8) Congress and people of the United States
19 are united in their determination that the expansion
20 of relations with Vietnam, a country the government
21 of which engages in serious violations of funda-
22 mental human rights, should not be construed as ap-
23 proval of or complacency about such practices. The
24 promotion of freedom and democracy around the
25 world is and must continue to be a central objective

1 of United States foreign policy. Congress remains
2 willing and hopeful to recognize improvement in the
3 future human rights practices of the Government of
4 Vietnam, which is the motivating purpose behind
5 this Act.

6 **TITLE I—CONDITIONS ON IN-**
7 **CREASED NONHUMANI-**
8 **TARIAN ASSISTANCE TO THE**
9 **GOVERNMENT OF VIETNAM**

10 **SEC. 101. BILATERAL NONHUMANITARIAN ASSISTANCE.**

11 (a) ASSISTANCE.—

12 (1) IN GENERAL.—United States nonhumani-
13 tarian assistance may not be provided to the Govern-
14 ment of Vietnam in an amount exceeding the
15 amount so provided for fiscal year 2004—

16 (A) for fiscal year 2005 unless not later
17 than 30 days after the date of the enactment of
18 this Act the President determines and certifies
19 to Congress that the requirements of subpara-
20 graphs (A) through (D) of paragraph (2) have
21 been met during the 12-month period ending on
22 the date of the certification; and

23 (B) for each subsequent fiscal year unless
24 the President determines and certifies to Con-
25 gress in the most recent annual report sub-

1 mitted pursuant to section 501 that the re-
2 quirements of subparagraphs (A) through (E)
3 of paragraph (2) have been met during the 12-
4 month period covered by the report.

5 (2) REQUIREMENTS.—The requirements of this
6 paragraph are that—

7 (A) the Government of Vietnam has made
8 substantial progress toward releasing all polit-
9 ical and religious prisoners from imprisonment,
10 house arrest, and other forms of detention;

11 (B)(i) the Government of Vietnam has
12 made substantial progress toward respecting
13 the right to freedom of religion, including the
14 right to participate in religious activities and in-
15 stitutions without interference by or involve-
16 ment of the Government; and

17 (ii) has made substantial progress toward
18 returning estates and properties confiscated
19 from the churches;

20 (C) the Government of Vietnam has made
21 substantial progress toward allowing Viet-
22 namese nationals free and open access to
23 United States refugee programs;

24 (D) the Government of Vietnam has made
25 substantial progress toward respecting the

1 human rights of members of ethnic minority
2 groups in the Central Highlands and elsewhere
3 in Vietnam; and

4 (E)(i) neither any official of the Govern-
5 ment of Vietnam nor any agency or entity whol-
6 ly or partly owned by the Government of Viet-
7 nam was complicit in a severe form of traf-
8 ficking in persons; or

9 (ii) the Government of Vietnam took all
10 appropriate steps to end any such complicity
11 and hold such official, agency, or entity fully
12 accountable for its conduct.

13 (b) EXCEPTION.—

14 (1) CONTINUATION OF ASSISTANCE IN THE NA-
15 TIONAL INTEREST.—Notwithstanding the failure of
16 the Government of Vietnam to meet the require-
17 ments of subsection (a)(2), the President may waive
18 the application of subsection (a) for any fiscal year
19 if the President determines that the provision to the
20 Government of Vietnam of increased United States
21 nonhumanitarian assistance would promote the pur-
22 poses of this Act or is otherwise in the national in-
23 terest of the United States.

1 (2) EXERCISE OF WAIVER AUTHORITY.—The
2 President may exercise the authority under para-
3 graph (2) with respect to—

4 (A) all United States nonhumanitarian as-
5 sistance to Vietnam; or

6 (B) one or more programs, projects, or ac-
7 tivities of such assistance.

8 (c) DEFINITIONS.—In this section:

9 (1) SEVERE FORM OF TRAFFICKING IN PER-
10 SONS.—The term “severe form of trafficking in per-
11 sons” means any activity described in section 103(8)
12 of the Trafficking Victims Protection Act of 2000
13 (Public Law 106–386 (114 Stat. 1470); 22 U.S.C.
14 7102(8)).

15 (2) UNITED STATES NONHUMANITARIAN AS-
16 SISTANCE.—The term “United States nonhumani-
17 tarian assistance” means—

18 (A) any assistance under the Foreign As-
19 sistance Act of 1961 (including programs under
20 title IV of chapter 2 of part I of that Act, relat-
21 ing to the Overseas Private Investment Cor-
22 poration), other than—

23 (i) disaster relief assistance, including
24 any assistance under chapter 9 of part I of
25 that Act;

1 (ii) assistance which involves the pro-
2 vision of food (including monetization of
3 food) or medicine; and

4 (iii) assistance for refugees; and

5 (B) sales, or financing on any terms, under
6 the Arms Export Control Act.

7 **TITLE II—ASSISTANCE TO SUP-**
8 **PORT HUMAN RIGHTS AND**
9 **DEMOCRACY IN VIETNAM**

10 **SEC. 201. ASSISTANCE.**

11 (a) IN GENERAL.—The President is authorized to
12 provide assistance, through appropriate nongovernmental
13 organizations, for the support of individuals and organiza-
14 tions to promote democracy and internationally recognized
15 human rights in Vietnam.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to the President to carry
18 out subsection (a) \$2,000,000 for each of the fiscal years
19 2005 and 2006.

20 **TITLE III—UNITED STATES**
21 **PUBLIC DIPLOMACY**

22 **SEC. 301. RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.**

23 (a) POLICY OF THE UNITED STATES.—It is the pol-
24 icy of the United States to take such measures as are nec-
25 essary to overcome the jamming of Radio Free Asia by

1 the Government of Vietnam, including the active pursuit
2 of broadcast facilities in close geographic proximity to
3 Vietnam.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—In addi-
5 tion to such amounts as are otherwise authorized to be
6 appropriated for the Broadcasting Board of Governors,
7 there are authorized to be appropriated to carry out the
8 policy under subsection (a) \$9,100,000 for the fiscal year
9 2005 and \$1,100,000 for the fiscal year 2006.

10 **SEC. 302. UNITED STATES EDUCATIONAL AND CULTURAL**
11 **EXCHANGE PROGRAMS WITH VIETNAM.**

12 It is the policy of the United States that programs
13 of educational and cultural exchange with Vietnam should
14 actively promote progress toward freedom and democracy
15 in Vietnam by providing opportunities to Vietnamese na-
16 tionals from a wide range of occupations and perspectives
17 to see freedom and democracy in action and, also, by en-
18 suring that Vietnamese nationals who have already dem-
19 onstrated a commitment to these values are included in
20 such programs.

1 **TITLE IV—UNITED STATES**
2 **REFUGEE POLICY**
3 **SEC. 401. REFUGEE RESETTLEMENT FOR NATIONALS OF**
4 **VIETNAM.**

5 (a) POLICY OF THE UNITED STATES.—It is the pol-
6 icy of the United States to offer refugee resettlement to
7 nationals of Vietnam (including members of the
8 Montagnard ethnic minority groups) who were eligible for
9 the Orderly Departure Program (ODP), Resettlement Op-
10 portunities for Vietnamese Returnees (ROVR), or any
11 other United States refugee program and who were
12 deemed ineligible due to administrative error or who for
13 reasons beyond the control of such individuals (including
14 insufficient or contradictory information or the inability
15 to pay bribes demanded by officials of the Government of
16 Vietnam) were unable or failed to apply for such programs
17 in compliance with deadlines imposed by the Department
18 of State.

19 (b) AUTHORIZED ACTIVITY.—Of the amounts au-
20 thorized to be appropriated to the Department of State
21 for Migration and Refugee Assistance for each of the fiscal
22 years 2005, 2006, and 2007, such sums as may be nec-
23 essary are authorized to be made available for the protec-
24 tion (including resettlement in appropriate cases) of Viet-

1 nameese refugees and asylum seekers, including
2 Montagnards in Cambodia.

3 **TITLE V—ANNUAL REPORT ON**
4 **PROGRESS TOWARD FREE-**
5 **DOM AND DEMOCRACY IN**
6 **VIETNAM**

7 **SEC. 501. ANNUAL REPORT.**

8 (a) IN GENERAL.—Not later than 6 months after the
9 date of the enactment of this Act and every 12 months
10 thereafter, the Secretary of State shall submit to the Con-
11 gress a report on the following:

12 (1)(A) The determination and certification of
13 the President that the requirements of section
14 101(a)(2) have been met, if applicable.

15 (B) The determination of the President under
16 section 101(b)(2), if applicable.

17 (2) Efforts by the United States Government to
18 secure transmission sites for Radio Free Asia in
19 countries in close geographical proximity to Vietnam
20 in accordance with section 301.

21 (3) Efforts to ensure that programs with Viet-
22 nam promote the policy set forth in section 302 and
23 with section 102 of the Human Rights, Refugee, and
24 Other Foreign Relations Provisions Act of 1996

1 (Public Law 104–319) regarding participation in
2 programs of educational and cultural exchange.

3 (4) Steps taken to carry out the policy under
4 section 401(a).

5 (5) Lists of persons believed to be imprisoned,
6 detained, or placed under house arrest, tortured, or
7 otherwise persecuted by the Government of Vietnam
8 due to their pursuit of internationally recognized
9 human rights. In compiling such lists, the Secretary
10 shall exercise appropriate discretion, including con-
11 cerns regarding the safety and security of, and ben-
12 efit to, the persons who may be included on the lists
13 and their families. In addition, the Secretary shall
14 include a list of such persons and their families who
15 may qualify for protection under United States ref-
16 ugee programs.

17 (6) A description of the development of the rule
18 of law in Vietnam, including, but not limited to—

19 (A) progress toward the development of in-
20 stitutions of democratic governance;

21 (B) processes by which statutes, regula-
22 tions, rules, and other legal acts of the Govern-
23 ment of Vietnam are developed and become
24 binding within Vietnam;

1 (C) the extent to which statutes, regula-
2 tions, rules, administrative and judicial deci-
3 sions, and other legal acts of the Government of
4 Vietnam are published and are made accessible
5 to the public;

6 (D) the extent to which administrative and
7 judicial decisions are supported by statements
8 of reasons that are based upon written statutes,
9 regulations, rules, and other legal acts of the
10 Government of Vietnam;

11 (E) the extent to which individuals are
12 treated equally under the laws of Vietnam with-
13 out regard to citizenship, race, religion, political
14 opinion, or current or former associations;

15 (F) the extent to which administrative and
16 judicial decisions are independent of political
17 pressure or governmental interference and are
18 reviewed by entities of appellate jurisdiction;
19 and

20 (G) the extent to which laws in Vietnam
21 are written and administered in ways that are
22 consistent with international human rights
23 standards, including the requirements of the
24 International Covenant on Civil and Political
25 Rights.

1 (b) CONTACTS WITH OTHER ORGANIZATIONS.—In
2 preparing the report under subsection (a), the Secretary
3 shall, as appropriate, consult with and seek input from
4 nongovernmental organizations, human rights advocates
5 (including Vietnamese-Americans and human rights advo-
6 cates in Vietnam), and the United States Commission on
7 Religious Freedom.

Amend the title so as to read: “A bill to promote
freedom and democracy in Vietnam.”.

Tom Lantos

(Original Signature of Member)

108TH CONGRESS
2D SESSION

H. R. 4660

To amend the Millennium Challenge Act of 2003 to extend the authority to provide assistance to countries seeking to become eligible countries for purposes of that Act.

IN THE HOUSE OF REPRESENTATIVES

Mr. LANTOS introduced the following bill; which was referred to the Committee on _____

*for himself
and Mr. Hyde
and -
(see cosponsors
sheet attached)*

A BILL

To amend the Millennium Challenge Act of 2003 to extend the authority to provide assistance to countries seeking to become eligible countries for purposes of that Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS; PURPOSE.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) On March 14, 2002, the President stated:

7 “America supports the international development

1 goals in the U.N. Millennium Declaration, and be-
2 lieves that these goals are a shared responsibility of
3 developed and developing countries.”.

4 (2) Section 201(b)(4) of H.R. 1950, as passed
5 by the House of Representatives on July 16, 2003,
6 states that it is the policy of the United States to
7 support compacts of the Millennium Challenge Ac-
8 count which, among other things, aim “to reduce
9 poverty by significantly increasing the economic
10 growth trajectory of beneficiary countries through
11 investing in the productive potential of the people of
12 such countries”.

13 (3) On May 10, 2004, the President recognized
14 the link between global poverty and the national se-
15 curity of the United States by stating: “In many na-
16 tions, poverty remains chronic and desperate. Half
17 the world’s people still live on less than \$2 a day.
18 This divide between wealth and poverty, between op-
19 portunity and misery, is far more than a challenge
20 to our compassion. Persistent poverty and oppres-
21 sion can spread despair across an entire nation, and
22 they can turn nations of great potential into the re-
23 cruiting grounds of terrorists.”.

1 (4) Section 602 of the Millennium Challenge
2 Act of 2003 (22 U.S.C. 7701) states that a purpose
3 of that Act is “the elimination of extreme poverty”.

4 (5) The Report of the Committee on Inter-
5 national Relations to accompany H.R. 2441 of the
6 108th Congress (H. Rept. 108–205) states that
7 “[f]or the Millennium Challenge Account to be suc-
8 cessful as an incentive for future reform as well as
9 a reward for past reform, it must offer opportunities
10 for those low-income countries whose institutions do
11 not yet meet all the eligibility criteria but who are
12 demonstrating partial success in meeting the eligi-
13 bility criteria”.

14 (6) The purpose of section 616 of the Millen-
15 nium Challenge Act of 2003 (22 U.S.C. 7715), and
16 the “threshold program” established pursuant to
17 such section by the Millennium Challenge Corpora-
18 tion, in consultation with the United States Agency
19 for International Development, is to provide assist-
20 ance to the low-income countries described in para-
21 graph (5) in order to assist such countries to become
22 eligible countries under the Act.

23 (7) Although the overall Millennium Challenge
24 Act of 2003 (22 U.S.C. 7701 et seq.) is authorized
25 to be funded for both fiscal years 2004 and 2005,

1 the “threshold program” under section 616 of such
2 Act is authorized to be funded only for fiscal year
3 2004.

4 (b) PURPOSE.—The purpose of this Act is to amend
5 the Millennium Challenge Act of 2003 to authorize fund-
6 ing of the “threshold program” under section 616 of such
7 Act for the same duration as the authorization of funding
8 for the overall Millennium Challenge Act of 2003.

9 **SEC. 2. EXTENSION OF AUTHORIZATION OF ASSISTANCE TO**
10 **CERTAIN CANDIDATE COUNTRIES.**

11 Section 616(d) of the Millennium Challenge Act of
12 2003 (22 U.S.C. 7715(d)) is amended by striking “for fis-
13 cal year 2004” and inserting “for a fiscal year”.

**EXTEND THE MILLENNIUM CHALLENGE ACCOUNT
TO MORE POOR COUNTRIES**

Co-Sponsors
6/23/04



1. Rep. Berman
2. Rep. Burton
3. Rep. Faleomavaega
4. Rep. Ros-Lehtinen
5. Rep. Brown (CA)
6. Rep. Ballenger
7. Rep. Engel
8. Rep. Houghton
9. Rep. Meeks (NY)
10. Rep. Green (WI)
11. Rep. Lee
12. Rep. Weller
13. Rep. Crowley
14. Rep. McCotter
15. Rep. Hoeffel
16. Rep. Blumenauer
17. Rep. Schiff
18. Rep. McCollum

108TH CONGRESS
2D SESSION

H. RES. 615

Expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations.

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2004

Ms. ROS-LEHTINEN (for herself, Mr. BLUNT, Mr. LANTOS, Mr. PENCE, Mrs. JO ANN DAVIS of Virginia, Mr. MCCOTTER, Mr. CROWLEY, and Mr. ACKERMAN) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations.

Whereas the election of member states of the United Nations to the major bodies of the United Nations is determined explicitly on a regional basis;

Whereas Israel has been refused admission to the Asia geographical region of the United Nations—the only member state of the United Nations that remains outside its appropriate geographical region—and therefore cannot be elected to any major body of the United Nations, is precluded from voting in any United Nations major body,

except the General Assembly, and is thus denied full participation in the day-to-day work of the United Nations;

Whereas according to current United Nations procedures the Bureau of every United Nations conference is comprised of one representative from each geographical region of the United Nations and Israel is therefore denied access to this vital apparatus enjoyed by other United Nations member states;

Whereas on May 30, 2000, Israel accepted an invitation to become a temporary member of the Western European and Others Group (WEOG) at the United Nations;

Whereas Israel's membership in the Western European and Others Group is limited and, as such, Israel is not allowed to compete for open seats in the United Nations body and Israeli representatives are not allowed to run for positions in major bodies of the United Nations or United Nations-affiliated agencies, such as the United Nations Commission on Human Rights and the Security Council;

Whereas Israel is only allowed to participate in limited activities of the Western European and Others Group in the New York office of the United Nations, is excluded from discussions and consultations of the Group at the United Nations offices in Geneva, Nairobi, Rome, and Vienna, and therefore, cannot participate in United Nations conferences on human rights, racism, and a number of other issues handled in these forums;

Whereas membership in the regional bloc of the Western European and Others Group includes the non-European countries of Canada, Australia, and the United States;

Whereas Israel is linked to Western European and Others Group member states by strong economic, political, and cultural ties;

Whereas the Western European and Others Group is the only regional group which is not purely geographical but rather comprised of countries which share a Western democratic tradition; and

Whereas Israel is a free and democratic country and its voting pattern in the United Nations is consistent with that of the Western European and Others Group member states: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) the President should direct the United
4 States Permanent Representative to the United Na-
5 tions to seek an immediate end to the persistent and
6 deplorable inequality experienced by Israel in the
7 United Nations;

8 (2) United States interests would be well served
9 if Israel were afforded the benefits of full member-
10 ship in the Western European and Others Group
11 (WEOG) at the United Nations so that it could fully
12 participate in the United Nations system;

13 (3) in accordance with section 405(a) of divi-
14 sion C of H.R. 1950, as passed the House of Rep-
15 resentatives on July 16, 2003, “the Secretary of
16 State and other appropriate officials of the United

1 States Government should pursue an aggressive dip-
2 lomatic effort and should take all necessary steps to
3 ensure the extension and upgrade of Israel's mem-
4 bership in the Western European and Others Group
5 at the United Nations"; and

6 (4) the Secretary of State should submit to
7 Congress on a regular basis a report which describes
8 actions taken by the United States Government to
9 encourage the Western European and Others Group
10 member states to accept Israel as a full member of
11 their regional bloc and describes the responses there-
12 to from the member states.

○

AMENDMENT TO H. RES. 615
OFFERED BY MS. ROS-LEHTINEN

In the first clause of the preamble, strike “regional”.

In the fifth clause of the preamble, strike “geographical region of” and insert “group in”.

In the eleventh clause of the preamble, strike “is rather comprised solely of” and insert “rather comprises”.

Page 4, line 18, strike “regional bloc” and insert “group”.

[COMMITTEE PRINT]

MAY 12, 2004

**[Showing the Amendments Adopted by the Subcommittee on
the Middle East and Central Asia]**

108TH CONGRESS
2^D SESSION

H. RES. 615

Expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations.

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2004

Ms. ROS-LEHTINEN (for herself, Mr. BLUNT, Mr. LANTOS, Mr. PENCE, Mrs. JO ANN DAVIS of Virginia, Mr. MCCOTTER, Mr. CROWLEY, and Mr. ACKERMAN) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations.

Whereas since the mid-1960s, the member states of the United Nations have been divided into five regional groups, including the Western European and Others

Group and the African, Asian, Latin American, and Eastern European groups;

Whereas the United Nations increasingly relies on this “Group System” to facilitate its work and two leading United Nations organs, the General Assembly and the Economic and Social Council, have passed numerous resolutions granting this system a central role in United Nations elections;

Whereas Israel has been refused admission to the Asian Group of the United Nations and is therefore denied the rights and privileges of full membership in the United Nations;

Whereas exclusion of Israel violates crucial principles of the United Nations Charter, including the right of states to be treated in accordance with the principle of sovereign equality and the right to vote and participate fully in the United Nations General Assembly;

Whereas the Bureau of every United Nations conference comprises one representative from each geographical region of the United Nations and Israel is therefore denied access to this vital apparatus enjoyed by other United Nations member states;

Whereas on May 30, 2000, Israel accepted an invitation to become a temporary member of the Western European and Others Group at the United Nations;

Whereas Israel’s membership in the Western European and Others Group is limited and, as a temporary member, Israel is not allowed to compete for open seats or to run for positions in major bodies of the United Nations, such as the Security Council, or United Nations-affiliated

agencies, such as the United Nations Commission on Human Rights;

Whereas Israel is only allowed to participate in limited activities of the Western European and Others Group at the United Nations headquarters and is excluded from discussions and consultations of the Group at the United Nations offices in Geneva, Nairobi, Rome, and Vienna;

Whereas the Western European and Others Group includes Canada, Australia, and the United States;

Whereas Israel is linked to Western European and Others Group member states by strong economic, political, and cultural ties;

Whereas the Western European and Others Group is the only bloc which is not purely geographical but is rather composed solely of countries which share a Western democratic tradition; and

Whereas Israel is a free and democratic country and its voting pattern in the United Nations is consistent with that of the Western European and Others Group member states: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) the President should direct the Secretary of
4 State and the United States Permanent Representa-
5 tive to the United Nations to seek an immediate end
6 to the persistent and deplorable inequality experi-
7 enced by Israel in the United Nations;

8 (2) United States interests would be well served
9 if Israel were afforded the benefits of full member-

1 ship in the Western European and Others Group at
2 the United Nations so that it could fully participate
3 in the United Nations system;

4 (3) consistent with section 405(a) of division C
5 of H.R. 1950, as passed the House of Representa-
6 tives on July 16, 2003, “the Secretary of State and
7 other appropriate officials of the United States Gov-
8 ernment should pursue an aggressive diplomatic ef-
9 fort and should take all necessary steps to ensure
10 the extension and upgrade of Israel’s membership in
11 the Western European and Others Group at the
12 United Nations”; and

13 (4) the Secretary of State should continue to
14 submit to Congress on a regular basis a report
15 which describes actions taken by the United States
16 Government to encourage the Western European
17 and Others Group member states to accept Israel as
18 a full member of their regional bloc and describes
19 the responses thereto from the member states.

Amend the title so as to read: “Resolution express-
ing the sense of the House of Representatives in support
of full membership of Israel in the Western European
and Others Group at the United Nations.”.

108TH CONGRESS
2D SESSION

H. RES. 617

Expressing support for the accession of Israel to the Organization for
Economic Co-operation and Development (OECD).

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2004

Ms. ROS-LEHTINEN (for herself, Mr. PENCE, Mrs. JO ANN DAVIS of Virginia,
Mr. McCOTTER, Mr. CROWLEY, Mr. BLUNT, and Mr. LANTOS) submitted
the following resolution; which was referred to the Committee on Inter-
national Relations

RESOLUTION

Expressing support for the accession of Israel to the Organi-
zation for Economic Co-operation and Development
(OECD).

Whereas Israel has been trying to join the Organization for
Economic Co-operation and Development (OECD) since
2000, when it met the OECD's membership requirements
relating to industrial and per-capita product criteria;

Whereas Israeli Foreign Minister Silvan Shalom and Finance
Minister Binyamin Netanyahu recently sent a joint letter
to the foreign and finance ministers of the 30 member
countries of the OECD, stating that Israel's involvement
as a non-member country in the OECD's various commit-
tees is increasing, and that Israel meets the economic
and institutional criteria required to join the OECD;

Whereas Israel was recently asked to take part in the OECD's Insurance and Commerce Committees;

Whereas membership in the OECD could enhance Israel's status on the global market and within international financial institutions, lowering the risk factor on foreign loans to Israel;

Whereas Israel's economic and technological standing could potentially benefit OECD member countries in the science and technology, including high-technology, sectors;

Whereas in 2003, the World Economic Forum ranked Israel 20th out of 102 countries in its Growth Competitiveness Index, and the World Economic Forum's Technology Index ranked Israel 9th, before Canada (11th), Norway (13th), Germany (14th), the United Kingdom (16th), and the Netherlands (18th); and

Whereas Israel is carrying out far reaching economic reforms based on the OECD's recommendations with respect to taxes, labor, competition, capital markets, pension funds, energy, infrastructures, communications, and transport: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) Israel shares the commitment to democratic
4 government and the market economy that is the
5 foundation of the Organization for Economic Co-op-
6 eration and Development (OECD);

7 (2) Israel meets the OECD's membership re-
8 quirements and has been an active participant as a

1 non-member country in various OECD activities,
2 such as adherence to the OECD Declaration on
3 International Investment and Multinational Enter-
4 prises;

5 (3) the United States Government should sup-
6 port and advocate the accession of Israel to the
7 OECD at the next meeting of the OECD, including
8 through coordination of efforts with Mexico, Great
9 Britain, and other countries supportive of Israel's
10 membership in the OECD; and

11 (4) given the discriminatory policies against
12 Israel in other international fora, Israel, upon acces-
13 sion to the OECD, should be afforded all the rights
14 and privileges granted to all other member countries,
15 including representation in the OECD's Council, the
16 governing body of the organization.

○

[COMMITTEE PRINT]

MAY 12, 2004

**[Showing the Amendments Adopted by the Subcommittee on
the Middle East and Central Asia]**

108TH CONGRESS
2D SESSION

H. RES. 617

Expressing support for the accession of Israel to the Organization for
Economic Co-operation and Development (OECD).

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2004

Ms. ROS-LEHTINEN (for herself, Mr. PENCE, Mrs. JO ANN DAVIS of Virginia,
Mr. McCOTTER, Mr. CROWLEY, Mr. BLUNT, and Mr. LANTOS) submitted
the following resolution; which was referred to the Committee on Inter-
national Relations

RESOLUTION

Expressing support for the accession of Israel to the Organi-
zation for Economic Co-operation and Development
(OECD).

Whereas Israel has been trying to join the Organization for
Economic Co-operation and Development (OECD) since
2000, when it met the OECD's membership requirements
relating to industrial and per-capita product criteria;

Whereas Israeli Foreign Minister Silvan Shalom and Finance Minister Binyamin Netanyahu recently sent a joint letter to the foreign and finance ministers of the 30 member countries of the OECD, stating that Israel's involvement as a non-member country in the OECD's various committees is increasing, and that Israel meets the economic and institutional criteria required to join the OECD;

Whereas Israel was recently asked to take part in the OECD's Insurance and Commerce Committees;

Whereas membership in the OECD could enhance Israel's status on the global market and within international financial institutions, lowering the risk factor on foreign loans to Israel;

Whereas Israel's economic and technological standing could potentially benefit OECD member countries in the science and technology, including high-technology, sectors;

Whereas in 2003, the World Economic Forum ranked Israel 20th out of 102 countries in its Growth Competitiveness Index, and the World Economic Forum's Technology Index ranked Israel 9th, before Canada (11th), Norway (13th), Germany (14th), the United Kingdom (16th), and the Netherlands (18th); and

Whereas Israel is carrying out far reaching economic reforms based on the OECD's recommendations with respect to taxes, labor, competition, capital markets, pension funds, energy, infrastructures, communications, and transport:
Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

1 (1) Israel shares the commitment to democratic
2 government and the market economy that is the
3 foundation of the Organization for Economic Co-op-
4 eration and Development (OECD);

5 (2) Israel meets the OECD's membership re-
6 quirements and has been an active participant as a
7 non-member country in various OECD activities,
8 such as adherence to the OECD Declaration on
9 International Investment and Multinational Enter-
10 prises; and

11 (3) the United States Government should sup-
12 port and advocate the accession of Israel to the
13 OECD at the next meeting of the OECD, including
14 through coordination of efforts with Mexico, Great
15 Britain, and other countries supportive of Israel's
16 membership in the OECD.

108TH CONGRESS
2D SESSION

H. RES. 652

Urging the Government of the Republic of Belarus to ensure a democratic, transparent, and fair election process for its parliamentary elections in the fall of 2004.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2004

Mr. BEREUTER (for himself and Mr. WEXLER) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Urging the Government of the Republic of Belarus to ensure a democratic, transparent, and fair election process for its parliamentary elections in the fall of 2004.

Whereas the establishment of a democratic, transparent, and fair election process for the 2004 parliamentary elections in the Republic of Belarus and of a genuinely democratic political system are prerequisites for that country's integration into the Western community of nations;

Whereas the Government of Belarus has accepted numerous specific commitments governing the conduct of elections as a participating State of the Organization for Security and Cooperation in Europe (OSCE), including provisions of the Copenhagen Document;

Whereas the election in the fall of 2004 of Belarus's next parliament will provide an unambiguous test of the extent of the Belarusian authorities' commitment to implement these standards and build a democratic society based on free elections and the rule of law;

Whereas previous parliamentary elections in Belarus have not fully met international standards;

Whereas it is the duty of government and public authorities at all levels to act in a manner consistent with all laws and regulations governing election procedures and to ensure free and fair elections throughout the entire country, including preventing activities aimed at undermining the free exercise of political rights;

Whereas a genuinely free and fair election requires a period of political campaigning conducted in an environment in which neither administrative action nor violence, intimidation, or detention hinder the parties, political associations, and the candidates from presenting their views and qualifications to the citizenry, including organizing supporters, conducting public meetings and events throughout the country, and enjoying unimpeded access to television, radio, print, and Internet media on a non-discriminatory basis;

Whereas a genuinely free and fair election requires that citizens be guaranteed the right and effective opportunity to exercise their civil and political rights, including the right to vote free from intimidation, threats of political retribution, or other forms of coercion by national or local authorities or others;

Whereas a genuinely free and fair election requires the full transparency of laws and regulations governing elections,

multiparty representation on election commissions, and unobstructed access by candidates, political parties, and domestic and international observers to all election procedures, including voting and vote-counting in all areas of the country;

Whereas control and manipulation of the media by national and local officials and others acting at their behest could raise grave concerns regarding the commitment of the Belarusian authorities to free and fair elections;

Whereas efforts by national and local officials and others acting at their behest to impose obstacles to free assembly, free speech, and a free and fair political campaign could call into question the fairness of the upcoming elections; and

Whereas the arrest or intimidation of opposition political parties and candidates such as the leader of the United Civic Party and others involved with the opposition including those associated with the Coalition Five Plus represents a deliberate assault on the democratic process: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) looks forward to the development of cordial
3 relations between the United States and the Republic of Belarus;

4 (2) emphasizes that a precondition for the integration of Belarus into the Western community of
5 nations is its establishment of a genuinely democratic political system;

1 (3) expresses its strong and continuing support
2 for the efforts of the Belarusian people to establish
3 a full democracy, the rule of law, and respect for
4 human rights in Belarus;

5 (4) urges the Government of Belarus to guar-
6 antee freedom of association and assembly, including
7 the right of candidates, members of political parties,
8 and others to freely assemble, to organize and con-
9 duct public events, and to exercise these and other
10 rights free from intimidation or harassment by local
11 or national officials or others acting at their behest;

12 (5) urges the Government of Belarus to meet
13 its Organization for Security and Cooperation in Eu-
14 rope (OSCE) commitments on democratic elections;

15 (6) urges the Belarusian authorities to
16 ensure—

17 (A) the full transparency of election proce-
18 dures before, during, and after the 2004 par-
19 liamentary elections;

20 (B) free access for Belarusian and inter-
21 national election observers;

22 (C) multiparty representation on all elec-
23 tion commissions;

1 (D) unimpeded access by all parties and
2 candidates to print, radio, television, and Inter-
3 net media on a non-discriminatory basis;

4 (E) freedom of candidates, members of op-
5 position parties, and independent media organi-
6 zations from intimidation or harassment by
7 government officials at all levels via selective
8 tax audits and other regulatory procedures, and
9 in the case of media, license revocations and
10 libel suits, among other measures;

11 (F) a transparent process for complaint
12 and appeals through electoral commissions and
13 within the court system that provides timely
14 and effective remedies; and

15 (G) vigorous prosecution of any individual
16 or organization responsible for violations of
17 election laws or regulations, including the appli-
18 cation of appropriate administrative or criminal
19 penalties;

20 (7) further calls upon the Government of
21 Belarus to guarantee election monitors from the Of-
22 fice of Democratic Institutions and Human Rights
23 (ODIHR), other participating States of the OSCE,
24 Belarusian political parties, candidates' representa-
25 tives, nongovernmental organizations, and other pri-

1 vate institutions and organizations, both foreign and
2 domestic, unobstructed access to all aspects of the
3 election process, including unimpeded access to pub-
4 lic campaign events, candidates, news media, voting,
5 and post-election tabulation of results and pro-
6 cessing of election challenges and complaints;

7 (8) encourages the international community, in-
8 cluding the Council of Europe, the OSCE, and the
9 OSCE Parliamentary Assembly, to continue their ef-
10 forts to support democracy in Belarus and urges
11 countries such as Lithuania and other Baltic coun-
12 tries and Nordic countries to continue to provide as-
13 sistance to nongovernmental organizations and other
14 Belarusian organizations involved in promoting de-
15 mocracy and fair elections in Belarus; and

16 (9) pledges its support to the Belarusian peo-
17 ple, their commitment to a fully free and open demo-
18 cratic system, their creation of a prosperous free
19 market economy, and their country's assumption of
20 its rightful place as a full and equal member of the
21 Western community of democracies.

○

108TH CONGRESS
2D SESSION

H. RES. 667

Expressing support for freedom in Hong Kong.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2004

Mr. COX (for himself, Mr. LANTOS, Mr. KENNEDY of Minnesota, Mr. SESSIONS, Mr. FALEOMAVAEGA, Mr. MARKEY, Mr. BURTON of Indiana, and Mr. LINCOLN DIAZ-BALART of Florida) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing support for freedom in Hong Kong.

Whereas according to the April 1, 2004, report by the Department of State entitled U.S.-Hong Kong Policy Act Report, “The United States has strong interests in the protection of human rights and the promotion of democratic institutions throughout the world. The Hong Kong people share many values and interests with Americans and have worked to make Hong Kong a model of what can be achieved in a society based on the rule of law and respect for civil liberties”;

Whereas according to section 103(3) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5713(3)), “The United States should continue to treat Hong Kong as a territory which is fully autonomous from the United

Kingdom and, after June 30, 1997, should treat Hong Kong as a territory which is fully autonomous from the People's Republic of China with respect to economic and trade matters.”;

Whereas the People's Republic of China has frustrated the gradual and orderly process toward universal suffrage and the democratic election of the legislature and chief executive in Hong Kong as envisioned by the Basic Law of the Hong Kong SAR; and

Whereas on April 6, 2004, the Standing Committee of the National People's Congress of the People's Republic of China declared itself, as opposed to the people of Hong Kong, the final arbiter of democratic reform and, on April 26, 2004, declared that universal suffrage would not apply to the election of the third Chief Executive in 2007 or to the election of all members of the fourth Legislative Council in 2008: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) declares that the people of Hong Kong
3 should be free to determine the pace and scope of
4 constitutional developments; and

5 (2) calls upon the President of the United
6 States to—

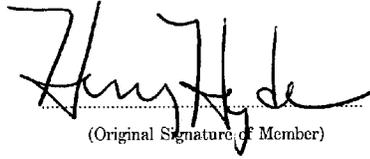
7 (A) call upon the People's Republic of
8 China, the National People's Congress, and any
9 groups appointed by the Government of the
10 People's Republic of China to guarantee that all
11 revisions of Hong Kong law reflect the wishes
12 of the people of Hong Kong as expressed

1 through a fully democratically elected legisla-
2 ture and chief executive;

3 (B) declare that the continued lack of a
4 fully democratically elected legislature in Hong
5 Kong is contrary to the vision of democracy set
6 forth in the Agreement between the Govern-
7 ment of the United Kingdom of Great Britain
8 and Northern Ireland and the Government of
9 the People's Republic of China on the Question
10 of Hong Kong, done at Beijing on December
11 19, 1984 (the Sino-British Joint Declaration of
12 1984); and

13 (C) call upon the Government of the Peo-
14 ple's Republic of China to honor its treaty obli-
15 gations under the Sino-British Joint Declara-
16 tion of 1984.

○


(Original Signature of Member)

108TH CONGRESS
2D SESSION

H. CON. RES. 402

Reaffirming unwavering commitment to the Taiwan Relations Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. HYDE submitted the following concurrent resolution, which was referred to the Committee on _____

for himself, and Mr. Lautos

CONCURRENT RESOLUTION

Reaffirming unwavering commitment to the Taiwan Relations Act, and for other purposes.

Whereas April 10, 2004, marked the 25th anniversary of the enactment of the Taiwan Relations Act (22 U.S.C. 3301 et seq.), codifying in law the basis for continued commercial, cultural, and other relations between the United States and Taiwan;

Whereas it is and will continue to be United States policy to further encourage and expand these extensive commercial, cultural, and other relations between the people of the United States and the people of Taiwan during the next quarter century;

Whereas since its enactment in 1979 the Taiwan Relations Act has been instrumental in maintaining peace, security, and stability in the Taiwan Strait;

Whereas when the Taiwan Relations Act was enacted, it affirmed that the decision of the United States to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means;

Whereas the Government of the People's Republic of China refuses to renounce the use of force against Taiwan;

Whereas the Department of Defense report entitled "Annual Report on the Military Power of the People's Republic of China," dated July 30, 2003, documents that the Government of the People's Republic of China is seeking coercive military options to resolve the Taiwan issue and, as of the date of the report, has deployed approximately 450 short-range ballistic missiles against Taiwan and is adding 75 missiles per year to this arsenal;

Whereas the escalating arms buildup of missiles and other offensive weapons by the People's Republic of China in areas adjacent to the Taiwan Strait is a threat to the peace and security of the Western Pacific area;

Whereas section 3 of the Taiwan Relations Act (22 U.S.C. 3302) requires that the United States Government will make available defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability;

Whereas the Taiwan Relations Act requires the United States to maintain the capacity to resist any resort to force or other forms of coercion that would jeopardize the secu-

rity, or the social or economic system, of the people of Taiwan;

Whereas the Taiwan Relations Act affirms the preservation and enhancement of the human rights of the people of Taiwan as an objective of the United States;

Whereas Taiwan serves as a model of democratic reform for the People's Republic of China;

Whereas Taiwan's 1996 election was the first time in five millennia of recorded Chinese history that a democratically elected president took office;

Whereas Taiwan's democracy has deepened with a peaceful transfer of power from one political party to another after the presidential election of 2000;

Whereas the relationship between the United States and Taiwan has deepened with Taiwan's evolution into a full-fledged, multi-party democracy that respects human rights and civil liberties;

Whereas high-level visits between government officials of the United States and Taiwan are not inconsistent with the "one China policy"; and

Whereas any attempt to determine Taiwan's future by other than peaceful means and other than with the express consent of the people of Taiwan would be considered of grave concern to the United States; Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That—*

3 (1) Congress reaffirms its unwavering commit-
4 ment to the Taiwan Relations Act (22 U.S.C. 3301

1 et seq.) as the cornerstone of United States relations
2 with Taiwan;

3 (2) the military modernization and weapons
4 procurement program of the People's Republic of
5 China is a matter of grave concern, and particularly
6 the current deployment of approximately 500 mis-
7 siles directed toward Taiwan;

8 (3) the President should direct all appropriate
9 United States Government officials to raise these
10 grave concerns regarding military threats to Taiwan
11 with officials of the Government of the People's Re-
12 public of China;

13 (4) the President and Congress should deter-
14 mine whether the escalating arms buildup, including
15 deployment of offensive weaponry and missiles in
16 areas adjacent to the Taiwan Strait, requires that
17 additional defense articles and services be made
18 available to Taiwan, and the United States Govern-
19 ment should encourage the leadership of Taiwan to
20 devote sufficient financial resources to the defense of
21 their island;

22 (5) as recommended by the U.S.-China Eco-
23 nomic and Security Review Commission, the Depart-
24 ment of Defense should provide a comprehensive re-
25 port on the nature and scope of military sales by the

1 Russian Federation to the People's Republic of
2 China to the Committees on International Relations
3 and Armed Services of the House of Representatives
4 and Committees on Foreign Relations and Armed
5 Services of the Senate;

6 (6) the President should encourage further dia-
7 logue between democratic Taiwan and the People's
8 Republic of China; and

9 (7) the United States Government should not
10 discourage current officials of the Taiwan Govern-
11 ment from visiting the United States on the basis
12 that doing so would violate the "one China policy".

108TH CONGRESS
1ST SESSION

H. CON. RES. 304

Expressing the sense of Congress regarding oppression by the Government of the People's Republic of China of Falun Gong in the United States and in China.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2003

Ms. ROS-LEHTINEN (for herself and Ms. WOOLSEY) submitted the following concurrent resolution; which was referred to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

CONCURRENT RESOLUTION

Expressing the sense of Congress regarding oppression by the Government of the People's Republic of China of Falun Gong in the United States and in China.

Whereas Falun Gong is a peaceful spiritual movement that originated in the People's Republic of China but has grown in popularity worldwide and is now accepted and practiced by thousands in the United States;

Whereas demonstrations by Falun Gong practitioners in the People's Republic of China and the United States have been peaceful, meditative sessions;

Whereas the Constitution of the People's Republic of China provides to the citizens of that country freedom of speech, assembly, association, and religious belief;

Whereas members of the Falun Gong spiritual movement, members of Chinese pro-democracy groups, and advocates of human rights reform in the People's Republic of China have been harassed, libeled, imprisoned, and beaten for demonstrating peacefully inside that country;

Whereas the Chinese Government has also attempted to silence the Falun Gong movement and Chinese prodemocracy groups inside the United States;

Whereas on June 12, 2003, 38 Members of Congress filed an Amended Brief of Amicus Curiae in support of the Falun Gong at the United States District Court, Northeastern District of Illinois, Eastern Division;

Whereas Chinese consular officials have pressured local elected officials in the United States to refuse or withdraw support for the Falun Gong spiritual group;

Whereas Dr. Charles Lee, a United States citizen, has reportedly been mentally and physically tortured since being detained by Chinese authorities in early 2003;

Whereas the apartment of Ms. Gail Rachlin, the Falun Gong spokeswoman in the United States, has been broken into 5 times by agents of the Chinese regime since the regime banned Falun Gong in 1999 in China;

Whereas over the past 5 years China's diplomatic corps has been actively involved in harassing and persecuting Falun Gong practitioners in the United States;

Whereas on June 23, 2003, Falun Gong practitioners were attacked outside a Chinese restaurant in New York City

by local United States-based individuals with reported ties to the Chinese Government;

Whereas 5 Falun Gong practitioners were assaulted outside of the Chinese Consulate in Chicago on September 7, 2001, while exercising their constitutionally protected rights to free speech, leading to battery convictions in Cook County Criminal Court of Jiming Zheng on November 13, 2002, and Yujun Weng on December 5, 2002, both assailants being members of a Chinese-American organization in Chicago, the Mid-USA Fujian Township Association, which maintains close ties with the Chinese Consulate;

Whereas individuals that physically harassed Falun Gong practitioners in San Francisco on October 22, 2000, were later seen at anti-Falun Gong meetings and the Chinese Consulate in San Francisco;

Whereas San Francisco City Supervisor Chris Daly, after receiving complaints that Chinese officials were intimidating his constituents, authored a resolution condemning human rights violations and persecution of Falun Gong members by the Chinese Government;

Whereas Mr. Daly and the other members of the San Francisco City Council subsequently received a letter from the Chinese Consul General in San Francisco, claiming that Falun Gong was an “evil cult” that was undermining the “normal social order” in the People’s Republic of China, and that Mr. Daly’s resolution should therefore be rejected, which it subsequently was;

Whereas in November 2000, the former Mayor of Saratoga, California, Stan Bogosian, issued a proclamation honoring the contributions of Falun Gong practitioners to

the Saratoga community, which prompted the Chinese Consulate in San Francisco to write to Mr. Bogosian urging him to retract his support for local Falun Gong activities;

Whereas many local and national media organizations have reported that other local officials across the United States, including the mayors of several major cities, have been pressured by Chinese consular officials to recant statements of support for the Falun Gong;

Whereas journalists have cited fear of hurting trade relationships as the motivation for some local United States officials to recant their support for Falun Gong after receiving pressure from Chinese consular officials; and

Whereas the Constitution of the United States guarantees freedom of religion, the right to assemble, and the right to speak freely, and the people of the United States strongly value protecting the ability of all people to live without fear and in accordance with their personal beliefs: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That it is the sense of Congress that—*

3 (1) the Government of the People's Republic of
4 China should—

5 (A) immediately stop interfering in the ex-
6 ercise of religious and political freedoms within
7 the United States, such as the right to practice
8 Falun Gong, that are guaranteed by the United
9 States Constitution;

1 (B) cease using the diplomatic missions in
2 the United States to spread falsehoods about
3 the nature of Falun Gong;

4 (C) release from detention all prisoners of
5 conscience, including practitioners of Falun
6 Gong, who have been incarcerated in violation
7 of their rights as expressed in the Constitution
8 of the People's Republic of China;

9 (D) immediately end the harassment, dete-
10 ntion, physical abuse, and imprisonment of in-
11 dividuals who are exercising their legitimate
12 rights to freedom of religion, including the
13 practices of Falun Gong, freedom of expression,
14 and freedom of association as stated in the
15 Constitution of the People's Republic of China;
16 and

17 (E) demonstrate its willingness to abide by
18 international standards of freedom of belief, ex-
19 pression, and association by ceasing to restrict
20 those freedoms in the People's Republic of
21 China;

22 (2) the President should, in accordance with
23 section 401(a)(1)(B) of the International Religious
24 Freedom Act of 1998 (22 U.S.C. 6401(a)(1)(B)),
25 and with the intention of dissuading the Chinese

1 Government from attempting to stifle religious free-
2 dom in the People's Republic of China and the
3 United States, take action such as—

4 (A) issuing an official public demarche, a
5 formal protest, to the Chinese Foreign Ministry
6 in response to the repeated violations by the
7 Chinese Government of basic human rights pro-
8 tected in international covenants to which the
9 People's Republic of China is a signatory; and

10 (B) working more closely with Chinese
11 human rights activists to identify Chinese au-
12 thorities who have been personally responsible
13 for acts of violence and persecution in the Peo-
14 ple's Republic of China;

15 (3) the Attorney General should investigate re-
16 ports that Chinese consular officials in the United
17 States have committed illegal acts while attempting
18 to intimidate or inappropriately influence Falun
19 Gong practitioners or local elected officials, and, in
20 consultation with the Secretary of State, determine
21 an appropriate legal response; and

22 (4) officials of local governments in the United
23 States should—

24 (A) in accordance with local statutes and
25 procedures, recognize and support organizations

1 and individuals that share the goals of all or
2 part of the local community, including Falun
3 Gong practitioners; and

4 (B) report incidents of pressure or harass-
5 ment by agents of the People's Republic of
6 China to Members of Congress, the Attorney
7 General, and the Secretary of State.

○

108TH CONGRESS
1ST SESSION

H. CON. RES. 319

Expressing the grave concern of Congress regarding the continuing repression of the religious freedom and human rights of the Iranian Bahá'í community by the Government of Iran.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2003

Ms. ROS-LEHTINEN (for herself, Mr. LANTOS, and Mr. SMITH of New Jersey) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the grave concern of Congress regarding the continuing repression of the religious freedom and human rights of the Iranian Bahá'í community by the Government of Iran.

Whereas in 1982, 1984, 1988, 1990, 1992, 1994, 1996, and in 2000, Congress, by concurrent resolution, declared that it holds the Government of Iran responsible for upholding the rights of all its nationals, including members of the Bahá'í Faith;

Whereas the followers of Bahá'u'lláh, who constitute the largest religious minority in Iran, are not recognized under the Iranian Constitution and are deprived thereby of adequate legal protection;

Whereas Congress has deplored the Government of Iran's persecution of the Bahá'í community and has condemned Iran's execution of more than 200 Bahá'í and the imprisonment of thousands of others solely on account of their religious beliefs;

Whereas on February 22, 1993, the United Nations Commission on Human Rights published a confidential Iranian Government document revealing that these repressive actions are part of a deliberate policy to destroy the Bahá'í community, a deliberate policy that was designed and approved by the highest officials in the Iranian Government;

Whereas in 2002, when the United States was not a member of the United Nations Commission on Human Rights, the resolution against human rights abuses in Iran failed to pass for the first time in 17 consecutive years;

Whereas in 2003, a resolution against human rights abuses in Iran was not introduced for a vote at the meeting of the United Nations Commission on Human Rights;

Whereas the Government of Iran is now free to continue its systematic and deliberate policy to destroy the Bahá'í community in the absence of international monitors;

Whereas the use of harassment, in the form of arrests, suspended sentences, and short-term detentions against the Iranian Bahá'ís have increased since the failure in 2002 to adopt the United Nations resolution against human rights abuses in Iran;

Whereas four Bahá'ís remain imprisoned in Iran solely because of their religious beliefs, 1 serving a 4-year sentence and another a life sentence for apostasy from

Islam, while 2 others are serving 15 years of imprisonment for associating with Bahá'í institutions;

Whereas the Iranian Government's deliberate policy to expel Bahá'ís from universities once it becomes known that they are Bahá'ís has not changed;

Whereas Bahá'ís continue to be banned from studying at Iranian universities and therefore were forced to create their own Bahá'í Institute of Higher Education (BIHE) using private homes and volunteer faculty throughout Iran, yet in July 2002, Iranian Revolutionary Guards intimidated students and systematically disrupted qualifying examinations for the Bahá'í university in nine districts by videotaping the proceedings, interrogating students, and confiscating Bahá'í books and examination papers;

Whereas the Iranian Government's deliberate policy to deny Bahá'ís any position of influence, such as in the educational sector, has not changed;

Whereas in 1998, officers of the Iranian Government arrested 36 faculty members of the Bahá'í school and seized textbooks, scientific papers, computers, desks and benches from 532 Bahá'í homes and, in March 2003, a Bahá'í was re-imprisoned for, among similar charges, educating and training Bahá'í youth in various professions and crafts;

Whereas the Iranian Government's deliberate policy to deny Bahá'í individuals employment if they identify their religion has not changed;

Whereas some 10,000 Bahá'ís were dismissed from government positions and educational institutions in the 1980s because of their religious beliefs, many remain unemployed and receive no unemployment benefits or pensions,

while others have been required to return salaries or pensions paid to them before they were dismissed;

Whereas the Iranian Government's deliberate policy to destroy the Bahá'í community's cultural roots inside the country has not changed;

Whereas the Iranian Government has refused to permit Iranian Bahá'ís to elect their leaders, refuses to return confiscated Bahá'í community properties, refuses to allow Bahá'ís to assemble as a community, and has demonstrated a desire to impose its own religious ideology on Bahá'í youth, as shown by the arrest of 17 Bahá'í boys and girls, in June 2002, on the way to a camp for Bahá'í teaching and cultural activities;

Whereas the Iranian Government's deliberate policy to destroy the Bahá'í community's cultural roots outside the country has not changed;

Whereas in February 2001, Iranian authorities denied visas to non-Iranian Bahá'ís holding Indian, South Korean, Japanese, and United States passports who were part of the Bahá'í International Community's delegation to the Regional Preparatory Conference for the United Nations' World Conference Against Racism, held in Tehran; and

Whereas the Government of Iran's deliberate policy of slowly strangling the Bahá'í community's viability is in direct violation of international norms expressed in the Universal Declaration of Human Rights and has not changed: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That Congress—

1 (1) expects the Government of Iran to uphold
2 the rights of all its nationals, including the members
3 of the Bahá'í Faith, in a manner consistent with
4 Iran's obligations under the Universal Declaration of
5 Human Rights and other international agreements
6 guaranteeing the civil and political rights of its citi-
7 zens, including freedom of thought, conscience, and
8 religion;

9 (2) condemns the deliberate policy of the Gov-
10 ernment of Iran to undermine the viability of the
11 Bahá'í community;

12 (3) urges the Government of Iran to permit
13 Bahá'í students to attend, and Bahá'í faculty to
14 teach, at Iranian universities, as well as to permit
15 the Bahá'í Institute of Higher Education to continue
16 teaching functions among Bahá'í youth without dis-
17 turbance;

18 (4) urges the Government of Iran to eliminate
19 employment discrimination against Bahá'ís in both
20 public and private sectors, and to distribute pensions
21 and unemployment benefits without respect to belief
22 or religious affiliation;

23 (5) urges the Government of Iran to dem-
24 onstrate its commitment to human rights, democ-
25 racy, and religious freedom by making a legislative

1 enactment to clarify that the civil and political rights
2 of all unrecognized minorities or communities, such
3 as the Bahá'ís, are to be respected regardless of
4 their religious beliefs;

5 (6) urges the Government of Iran to allow the
6 reestablishment of Bahá'í institutions, to give indi-
7 viduals the freedom to manifest their religion, and to
8 return all confiscated Bahá'í properties;

9 (7) urges the United States representative to
10 the United Nations to pursue a resolution on human
11 rights violations in Iran, including specific mention
12 of the the situation of the Bahá'ís, and calls for re-
13 establishment of the mandate of the Special Rep-
14 resentative on Iran at the United Nations Commis-
15 sion on Human Rights; and

16 (8) calls upon the President to continue—

17 (A) to assert that the United States re-
18 gards the human rights practices of the Govern-
19 ment of Iran, particularly its treatment of the
20 Bahá'í community and other religious minori-
21 ties, as a significant factor in the foreign policy
22 of the United States Government regarding
23 Iran; and

24 (B) to encourage other governments to
25 continue to appeal to the Government of Iran,

1 and to cooperate with other governments and
2 international organizations, including the
3 United Nations and its agencies, in efforts to
4 protect the religious rights of the Bahá'ís and
5 other minorities.

○

AMENDMENT TO H. CON. RES. 319
OFFERED BY MS. ROS-LEHTINEN

In the second clause of the preamble, after “largest” insert “non-Muslim”.

Strike the ninth clause of the preamble and insert the following:

Whereas in February 2004 Iranian authorities destroyed the tomb of Quddus, a prominent religious figure in early Bahá’í history, and have not relinquished his remains despite protests from Bahá’ís at the local, national, and international level;

[COMMITTEE PRINT]

MAY 12, 2004

**[Showing the Amendments Adopted by the Subcommittee on
the Middle East and Central Asia]**

108TH CONGRESS
1ST SESSION

H. CON. RES. 319

Expressing the grave concern of Congress regarding the continuing repression of the religious freedom and human rights of the Iranian Bahá'í community by the Government of Iran.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2003

Ms. ROS-LEHTINEN (for herself, Mr. LANTOS, and Mr. SMITH of New Jersey) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the grave concern of Congress regarding the continuing repression of the religious freedom and human rights of the Iranian Bahá'í community by the Government of Iran.

Whereas in 1982, 1984, 1988, 1990, 1992, 1994, 1996, and in 2000, Congress, by concurrent resolution, declared that it holds the Government of Iran responsible for up-

holding the rights of all its nationals, including members of the Bahá'í Faith;

Whereas the followers of Bahá'u'lláh, who constitute the largest religious minority in Iran, are not recognized under the Iranian Constitution and are deprived thereby of adequate legal protection;

Whereas Congress has deplored the Government of Iran's persecution of the Bahá'í community and has condemned Iran's execution of more than 200 Bahá'í and the imprisonment of thousands of others solely on account of their religious beliefs;

Whereas on February 22, 1993, the United Nations Commission on Human Rights published a confidential Iranian Government document revealing that these repressive actions are part of a deliberate policy to destroy the Bahá'í community, a deliberate policy that was designed and approved by the highest officials in the Iranian Government;

Whereas in 2002, when the United States was not a member of the United Nations Commission on Human Rights, the resolution against human rights abuses in Iran failed to pass for the first time in 17 consecutive years;

Whereas for the past three years the United Nations Commission on Human Rights has failed to pass a resolution condemning human rights abuses in Iran;

Whereas the failure of the United Nations Commission on Human Rights to pass a resolution regarding human rights abuses in Iran may erroneously suggest that the Government of Iran has improved its human rights record and has stopped its policy to systematically destroy the Bahai community;

Whereas the use of harassment, in the form of arrests, suspended sentences, and short-term detentions against the Iranian Bahá'ís have increased since the failure in 2002 to adopt a United Nations Commission on Human Rights resolution against human rights abuses in Iran;

Whereas four Bahá'ís remain imprisoned in Iran solely because of their religious beliefs, 1 serving a 4-year sentence and another a life sentence for apostasy from Islam, while 2 others are serving 15 years of imprisonment for associating with Bahá'í institutions;

Whereas the Iranian Government's deliberate policy to expel Bahá'ís from universities has not changed;

Whereas Bahá'ís continue to be banned from studying at Iranian universities and therefore were forced to create their own Bahá'í Institute of Higher Education (BIHE) using private homes and volunteer faculty throughout Iran, yet in July 2002, Iranian Revolutionary Guards intimidated students and systematically disrupted qualifying examinations for the Bahá'í university in nine districts by videotaping the proceedings, interrogating students, and confiscating Bahá'í books and examination papers;

Whereas the Iranian Government's deliberate policy to deny Bahá'ís any position of influence, such as in the educational sector, has not changed;

Whereas in 1998, officers of the Iranian Government arrested 36 faculty members of the Bahá'í school and seized textbooks, scientific papers, computers, desks and benches from 532 Bahá'í homes and, in March 2003, a Bahá'í was re-imprisoned for, among similar charges, educating and training Bahá'í youth in various professions and crafts;

Whereas the Iranian Government's deliberate policy to deny Bahá'í individuals employment if they identify their religion has not changed;

Whereas some 10,000 Bahá'ís were dismissed from government positions and educational institutions in the 1980s because of their religious beliefs, many remain unemployed and receive no unemployment benefits or pensions, while others have been required to return salaries or pensions paid to them before they were dismissed;

Whereas the Iranian Government's deliberate policy to destroy the Bahá'í community's cultural roots inside the country has not changed;

Whereas the Iranian Government has refused to permit Iranian Bahá'ís to elect their leaders, refuses to return confiscated Bahá'í community properties, refuses to allow Bahá'ís to assemble as a community, and has demonstrated a desire to impose its own religious ideology on Bahá'í youth, as shown by the arrest of 17 Bahá'í boys and girls, in June 2002, on the way to a camp for Bahá'í teaching and cultural activities;

Whereas the Iranian Government's deliberate policy to destroy the Bahá'í community's cultural roots outside the country has not changed;

Whereas in February 2001, Iranian authorities denied visas to non-Iranian Bahá'ís holding Indian, South Korean, Japanese, and United States passports who were part of the Bahá'í International Community's delegation to the Regional Preparatory Conference for the United Nations' World Conference Against Racism, held in Tehran; and

Whereas the Government of Iran's deliberate policy of slowly strangling the Bahá'í community's viability is in direct

violation of international norms expressed in the Universal Declaration of Human Rights and has not changed: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) expects the Government of Iran to uphold
4 the rights of all its nationals, including the members
5 of the Bahá'í Faith, in a manner consistent with
6 Iran's obligations under the Universal Declaration of
7 Human Rights and other international agreements
8 guaranteeing the civil and political rights of its citi-
9 zens, including freedom of thought, conscience, and
10 religion;

11 (2) condemns the deliberate policy of the Gov-
12 ernment of Iran to undermine the viability of the
13 Bahá'í community;

14 (3) urges the Government of Iran to permit
15 Bahá'í students to attend, and Bahá'í faculty to
16 teach, at Iranian universities, as well as to permit
17 the Bahá'í Institute of Higher Education to continue
18 teaching functions among Bahá'í youth without dis-
19 turbance;

20 (4) urges the Government of Iran to eliminate
21 employment discrimination against Bahá'ís in both
22 public and private sectors, and to distribute pensions

1 and unemployment benefits without respect to belief
2 or religious affiliation;

3 (5) urges the Government of Iran to dem-
4 onstrate its commitment to human rights, democ-
5 racy, and religious freedom by making a legislative
6 enactment to clarify that the civil and political rights
7 of all unrecognized minorities or communities, such
8 as the Bahá'ís, are to be respected regardless of
9 their religious beliefs;

10 (6) urges the Government of Iran to allow the
11 reestablishment of Bahá'í institutions, to give indi-
12 viduals the freedom to manifest their religion, and to
13 return all confiscated Bahá'í properties;

14 (7) urges the United States representative to
15 the United Nations to pursue a resolution on human
16 rights violations in Iran, including specific mention
17 of the the situation of the Bahá'ís, and calls for re-
18 establishment of the mandate of the Special Rep-
19 resentative on Iran at the United Nations Commis-
20 sion on Human Rights; and

21 (8) calls upon the President to continue—

22 (A) to assert that the United States re-
23 gards the human rights practices of the Govern-
24 ment of Iran, particularly its treatment of the
25 Bahá'í community and other religious minori-

1 ties, as a significant factor in the foreign policy
2 of the United States Government regarding
3 Iran; and

4 (B) to encourage other governments to
5 continue to appeal to the Government of Iran,
6 and to cooperate with other governments and
7 international organizations, including the
8 United Nations and its agencies, in efforts to
9 protect the religious rights of the Bahá'ís and
10 other minorities.

108TH CONGRESS
2D SESSION

H. CON. RES. 363

Expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian people by the Government of the Syrian Arab Republic.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2004

Ms. ROS-LEHTINEN (for herself, Mr. BLUNT, Mr. ENGEL, Mr. ACKERMAN, Mr. SMITH of New Jersey, Mr. CHABOT, Mr. CROWLEY, Mr. PENCE, Mr. MCCOTTER, Mr. TANCREDO, Mr. BERMAN, Mrs. JO ANN DAVIS of Virginia, Mr. BURTON of Indiana, Ms. BERKLEY, and Mr. LANTOS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian people by the Government of the Syrian Arab Republic.

Whereas the Syrian Arab Republic is governed by an authoritarian regime which, according to the 2003 Department of State Report on Human Rights Practices, continues to commit serious human rights abuses, including “the use of torture” and “arbitrary arrest and detention”;

Whereas hundreds of political prisoners in Syria have never been tried for any offense, in violation of Article 9 of the

Universal Declaration of Human Rights (General Assembly resolution 217 A (III) of December 10, 1948);

Whereas the 2003 Department of State Human Rights Report states that Syria “significantly restricts freedom of speech and of the press”, that “freedom of assembly does not exist under the law”, and that “the Government restricted freedom of association”;

Whereas a recent press law enacted in September 2001 permits Syria to arbitrarily deny or revoke publishing licenses for such vague reasons as “related to the public interest”, and compels privately owned media sources to submit all material to government censors for clearance;

Whereas Syrian authorities have arrested two journalists for writing articles published in Lebanese newspapers criticizing Syria;

Whereas foreign media correspondents have been expelled from Syria for reporting that runs contrary to what is officially sanctioned by Syria;

Whereas Article 19 of the Universal Declaration of Human Rights declares: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”;

Whereas Article 20 of the Universal Declaration of Human Rights states: “Everyone has the right to freedom of peaceful assembly and association.”;

Whereas Human Rights Watch reports that Syria maintains its “pressure on the country’s fragile human rights movement through a combination of intimidation, criminal prosecution of leading activists, and imprisonment”;

Whereas Amnesty International has reported that the security forces of Syria are targeting emerging human rights organizations in Syria in an apparent attempt to intimidate those organizations into ceasing their work in Syria;

Whereas attorneys in Syria working with these Syrian human rights organizations have reportedly been harassed and persecuted by the government-controlled bar association, which works closely with the ruling Ba'ath Party and the government security forces;

Whereas the criminal law of Syria allows for the acquittal of an accused rapist if the suspect marries the victim;

Whereas the criminal law of Syria provides for reduced sentences in cases of "honor" killings;

Whereas the family law of Syria as applied to Muslim women is governed by Sharia (Islamic) law and is discriminatory in marriage, divorce, and inheritance matters;

Whereas Article 7 of the Universal Declaration of Human Rights states: "All are equal before the law and are entitled without any discrimination to equal protection of the law.";

Whereas the infringement by Syria on human rights and civil liberties extends into the Lebanese Republic, which it continues to occupy in violation of United Nations Security Council resolutions;

Whereas Human Rights Watch, in its 2003 World Report, stated that: "Political activists in Lebanon continued to demand the withdrawal of all Syrian forces from the country and organized demonstrations throughout the year, many of which the internal security forces dispersed forcibly";

Whereas nongovernmental organizations in Lebanon continue their efforts to discover the fate of the nearly 200 “disappeared” Lebanese citizens believed to have been the victims of arbitrary detention or “disappearance” by the Syrian authorities; and

Whereas Freedom House, in its Special Report to the 59th Session of the United Nations Commission on Human Rights in 2003, classified Syria as “One of the World’s Most Repressive Regimes” for its severe repression of political and civil liberties and its egregious violations of human dignity: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) condemns the numerous violations of funda-
4 mental human rights by the Government of the Syr-
5 ian Arab Republic;

6 (2) calls on the international community to
7 adopt a resolution at the upcoming 60th Session of
8 the United Nations Commission on Human Rights
9 which details the dismal human rights record of
10 Syria and establishes a Special Rapporteur to fur-
11 ther investigate these abuses;

12 (3) expresses its support for the people of Syria
13 in their daily struggle for freedom, respect for
14 human rights and civil liberties, democratic self-gov-
15 ernance, and the establishment of the rule of law;

16 (4) encourages the President and the Secretary
17 of State, acting through the Middle East Partner-

1 ship Initiative (managed by the Department of
2 State) and other avenues, to reach out to dissidents,
3 human rights activists, and the pro-democracy oppo-
4 sition in Syria, and to assist them in their efforts;
5 and

6 (5) urges the adoption and pursuit of these and
7 other policies to seek a democratic government in
8 Syria that will—

9 (A) restore freedom to the people of Syria;

10 (B) cease the illegal occupation by Syria of
11 the Lebanese Republic;

12 (C) abandon support for terrorism by
13 Syria; and

14 (D) live in peace and security with the
15 international community.

○

[COMMITTEE PRINT]

MAY 12, 2004

**[Showing the Amendments Adopted by the Subcommittee on
the Middle East and Central Asia]**

108TH CONGRESS
2D SESSION

H. CON. RES. 363

Expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian people by the Government of the Syrian Arab Republic.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2004

Ms. ROS-LEHTINEN (for herself, Mr. BLUNT, Mr. ENGEL, Mr. ACKERMAN, Mr. SMITH of New Jersey, Mr. CHABOT, Mr. CROWLEY, Mr. PENCE, Mr. MCCOTTER, Mr. TANCREDO, Mr. BERMAN, Mrs. JO ANN DAVIS of Virginia, Mr. BURTON of Indiana, Ms. BERKLEY, and Mr. LANTOS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian people by the Government of the Syrian Arab Republic.

Whereas the Syrian Arab Republic is governed by an authoritarian regime which continues to commit serious human rights abuses, including the use of torture and arbitrary arrest and detention;

Whereas the Department of State's Country Reports on Human Rights Practices for 2003 states that Syria "significantly restricts freedom of speech and of the press", that "freedom of assembly does not exist under the law", and that "the Government restricted freedom of association";

Whereas Article 19 of the Universal Declaration of Human Rights states "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.";

Whereas Article 20 of the Universal Declaration of Human Rights states "Everyone has the right to freedom of peaceful assembly and association.";

Whereas Syria's September 2001 press law permits the government to arbitrarily deny or revoke publishing licenses for vague reasons and compels media to submit all material to government censors;

Whereas Syrian authorities have arrested, or, in the case of foreigners, expelled two journalists for writing critically about Syria's policies;

Whereas Human Rights Watch and Amnesty International have reported that the security forces of Syria are targeting emerging Syrian human rights organizations, as well as their attorneys, in an apparent attempt to intimidate those organizations;

Whereas on March 8, 2004, Syrian security forces arrested more than 30 human rights dissidents and civilians at a sit-in in front of the parliament;

Whereas a United States diplomat who was watching the peaceful demonstrations was also arrested and held for an hour in what the United States Government called an unacceptable violation of diplomatic practice and which the United States protested “in the strongest terms”;

Whereas Article 7 of the Universal Declaration of Human Rights states “All are equal before the law and are entitled without any discrimination to equal protection of the law.”;

Whereas the criminal law of Syria provides for reduced sentences in cases of “honor” killings, and spousal rape is not illegal;

Whereas the infringement by Syria on human rights and civil liberties extends into the Lebanese Republic, which it continues to occupy in violation of United Nations Security Council resolutions;

Whereas Human Rights Watch, in its 2003 World Report, stated that “political activists in Lebanon continued to demand the withdrawal of all Syrian forces from the country and organized demonstrations throughout the year, many of which the internal security forces dispersed forcibly”;

Whereas hundreds of Lebanese civilians are believed to have been killed or “disappeared” by Syrian occupation forces or its secret police;

Whereas hundreds of Kurdish civilians were injured or killed in clashes with the Syrian authorities that began on March 12, 2004, in Qamishli, a city in northeastern

Syria and, according to Syrian Kurdish sources, security forces used live ammunition against unarmed civilians; and

Whereas human rights and democracy groups in Syria have sponsored a petition urging greater freedoms and the release of all political prisoners, which has garnered more than 6,000 signatures: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) condemns the consistent pattern of gross
4 violations of internationally recognized human rights
5 by the Government of the Syrian Arab Republic;

6 (2) calls on the international community to
7 adopt a resolution at the upcoming session of the
8 United Nations General Assembly which details the
9 dismal human rights record of Syria;

10 (3) expresses its support for the people of Syria
11 in their daily struggle for freedom, respect for
12 human rights and civil liberties, democratic self-gov-
13 ernance, and the establishment of the rule of law;

14 (4) encourages the President and the Secretary
15 of State to reach out to dissidents, human rights ac-
16 tivists, and the nonviolent democratic opposition in
17 Syria, and to assist them in their efforts; and

18 (5) urges the adoption and pursuit of these and
19 other policies to seek a democratic government in
20 Syria that will—

1 (A) bring freedom and democracy to the
2 people of Syria;

3 (B) cease the illegal occupation by Syria of
4 the Lebanese Republic;

5 (C) abandon support for terrorism by
6 Syria;

7 (D) not pursue research, development, ac-
8 quisition, production, transfer, or deployment of
9 biological, chemical, or nuclear weapons, will
10 provide credible assurances that such behavior
11 will not be undertaken in the future, and will
12 agree to allow United Nations and other inter-
13 national observers to verify such assurances;
14 and

15 (E) live in peace and security with the
16 international community.

Amend the title so as to read: “Concurrent resolution expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic.”.

108TH CONGRESS
2D SESSION

H. CON. RES. 436

Celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2004

Mr. PAYNE (for himself, Mr. MEEKS of New York, Mr. RANGEL, Mr. ROYCE, and Mr. LANTOS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country.

Whereas the Republic of South Africa peacefully and successfully held democratic elections and transitioned to a democratic, nonracial form of government in 1994;

Whereas South Africa helped initiate and frame the New Partnership for Africa's Development and continues to head this partnership for development and responsible leadership in Africa;

Whereas South Africa actively supports the South African Development Community, which promotes regional eco-

conomic cooperation and higher standards of living in Southern Africa;

Whereas South Africa has made significant advances in housing by constructing 1,600,000 houses for the poor of South Africa;

Whereas, since 1994, 9,000,000 people in South Africa have gained access to clean water;

Whereas, before 1994, 22,000,000 people in South Africa did not have access to adequate sanitation, but 63 percent of households in South Africa now have access to adequate sanitation;

Whereas, before 1994, 60 percent of people in South Africa did not have electricity, but more than 70 percent of households in South Africa now have electricity;

Whereas, from 1994 to 2004, secondary school enrollment in South Africa increased from 70 percent to 85 percent, and students in South Africa now learn in a racially integrated school system;

Whereas the Government of South Africa has established nutritional and educational programs to benefit the youngest and poorest people in South Africa;

Whereas South Africa is experiencing the longest period of consistent positive growth, as measured by its gross domestic product (GDP), since growth in GDP was properly recorded in the 1940s;

Whereas F.W. de Klerk and Nelson Mandela share a Nobel Peace Prize for their work in ending apartheid in South Africa and establishing a representative government;

Whereas Desmond Tutu led the Truth and Reconciliation Commission to repair injustices among South Africans

and improve race relations in the country, and was awarded a Nobel Peace Prize for his efforts;

Whereas South Africa has contributed troops to peacekeeping efforts in Burundi, Liberia, the Democratic Republic of the Congo, Ethiopia, and Eritrea;

Whereas South Africa President Thabo Mbeki has forged a relationship with President George W. Bush, making three state visits to the United States and hosting President Bush during his visit to Pretoria, South Africa;

Whereas South Africa has served as an inspiration for other African nations striving for democracy and the peaceful cooperation of many ethnic groups;

Whereas, after being isolated for many years because of the odious system of apartheid, South Africa has since 1994 become a premier location for large international conferences, a leading tourist destination, and the locale for numerous films; and

Whereas, in 1993, the Government of South Africa voluntarily halted its biological, chemical, and nuclear weapons programs and, in 1994, hosted the first conference in Africa on the implementation of the Convention on the Prohibition on the Development, Production, Stockpiling, and Use of Chemical Weapons and On Their Destruction, with annexes, done at Paris January 13, 1993, and entered into force April 29, 1997: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That Congress—

3 (1) applauds the Republic of South Africa for
4 the remarkable transition to a democratic govern-

1 ment and the tremendous progress achieved during
2 10 years of majority rule;

3 (2) looks forward to a continued partnership
4 with South Africa focused on a sustained commit-
5 ment to the health of South Africans; and

6 (3) anticipates continued social development
7 and economic growth in South Africa.

○

AMENDMENT TO H. CON. RES. 436**OFFERED BY MR. PAYNE**

Amend the second clause of the preamble to read as follows:

Whereas South Africa helped initiate and frame the New Partnership for Africa's Development as a new partnership between Africa and the rest of the world in order to place the continent of Africa on the path to sustainable development and to further the values of democracy and economic reform throughout Africa;

108TH CONGRESS
2D SESSION

H. CON. RES. 415

Urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2004

Mr. HYDE (for himself, Mr. SMITH of New Jersey, and Mr. LANTOS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004.

Whereas the establishment of a democratic, transparent, and fair election process for the 2004 presidential election in Ukraine and of a genuinely democratic political system are prerequisites for that country's full integration into the Western community of nations as an equal member, including into organizations such as the North Atlantic Treaty Organization (NATO);

Whereas the Government of Ukraine has accepted numerous specific commitments governing the conduct of elections as a participating State of the Organization for Security

and Cooperation in Europe (OSCE), including provisions of the Copenhagen Document;

Whereas the election on October 31, 2004, of Ukraine's next president will provide an unambiguous test of the extent of the Ukrainian authorities' commitment to implement these standards and build a democratic society based on free elections and the rule of law;

Whereas this election takes place against the backdrop of previous elections that did not fully meet international standards and of disturbing trends in the current pre-election environment;

Whereas it is the duty of government and public authorities at all levels to act in a manner consistent with all laws and regulations governing election procedures and to ensure free and fair elections throughout the entire country, including preventing activities aimed at undermining the free exercise of political rights;

Whereas a genuinely free and fair election requires a period of political campaigning conducted in an environment in which neither administrative action nor violence, intimidation, or detention hinder the parties, political associations, and the candidates from presenting their views and qualifications to the citizenry, including organizing supporters, conducting public meetings and events throughout the country, and enjoying unimpeded access to television, radio, print, and Internet media on a non-discriminatory basis;

Whereas a genuinely free and fair election requires that citizens be guaranteed the right and effective opportunity to exercise their civil and political rights, including the right to vote and the right to seek and acquire information

upon which to make an informed vote, free from intimidation, undue influence, attempts at vote buying, threats of political retribution, or other forms of coercion by national or local authorities or others;

Whereas a genuinely free and fair election requires government and public authorities to ensure that candidates and political parties enjoy equal treatment before the law and that government resources are not employed to the advantage of individual candidates or political parties;

Whereas a genuinely free and fair election requires the full transparency of laws and regulations governing elections, multiparty representation on election commissions, and unobstructed access by candidates, political parties, and domestic and international observers to all election procedures, including voting and vote-counting in all areas of the country;

Whereas increasing control and manipulation of the media by national and local officials and others acting at their behest raise grave concerns regarding the commitment of the Ukrainian authorities to free and fair elections;

Whereas efforts by the national authorities to limit access to international broadcasting, including Radio Liberty and the Voice of America, represent an unacceptable infringement on the right of the Ukrainian people to independent information;

Whereas efforts by national and local officials and others acting at their behest to impose obstacles to free assembly, free speech, and a free and fair political campaign have taken place in Donetsk, Sumy, and elsewhere in Ukraine without condemnation or remedial action by the Ukrainian Government;

Whereas numerous substantial irregularities have taken place in recent Ukrainian parliamentary by-elections in the Donetsk region and in mayoral elections in Mukacheve, Romny, and Krasniy Luch; and

Whereas the intimidation and violence during the April 18, 2004, mayoral election in Mukacheve, Ukraine, represent a deliberate attack on the democratic process: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That the Congress—

3 (1) acknowledges and welcomes the strong rela-
4 tationship formed between the United States and
5 Ukraine since the restoration of Ukraine's independ-
6 ence in 1991;

7 (2) recognizes that a precondition for the full
8 integration of Ukraine into the Western community
9 of nations, including as an equal member in institu-
10 tions such as the North Atlantic Treaty Organiza-
11 tion (NATO), is its establishment of a genuinely
12 democratic political system;

13 (3) expresses its strong and continuing support
14 for the efforts of the Ukrainian people to establish
15 a full democracy, the rule of law, and respect for
16 human rights in Ukraine;

17 (4) urges the Government of Ukraine to guar-
18 antee freedom of association and assembly, including
19 the right of candidates, members of political parties,

1 and others to freely assemble, to organize and con-
2 duct public events, and to exercise these and other
3 rights free from intimidation or harassment by local
4 or national officials or others acting at their behest;

5 (5) urges the Government of Ukraine to meet
6 its Organization for Security and Cooperation in Eu-
7 rope (OSCE) commitments on democratic elections
8 and to address issues previously identified by the Of-
9 fice of Democratic Institutions and Human Rights
10 (ODIHR) of the OSCE in its final reports on the
11 2002 parliamentary elections and the 1999 presi-
12 dential elections, such as illegal interference by pub-
13 lic authorities in the campaign and a high degree of
14 bias in the media;

15 (6) urges the Ukrainian authorities to ensure—

16 (A) the full transparency of election proce-
17 dures before, during, and after the 2004 presi-
18 dential elections;

19 (B) free access for Ukrainian and inter-
20 national election observers;

21 (C) multiparty representation on all elec-
22 tion commissions;

23 (D) unimpeded access by all parties and
24 candidates to print, radio, television, and Inter-
25 net media on a non-discriminatory basis;

1 (E) freedom of candidates, members of op-
2 position parties, and independent media organi-
3 zations from intimidation or harassment by
4 government officials at all levels via selective
5 tax audits and other regulatory procedures, and
6 in the case of media, license revocations and
7 libel suits, among other measures;

8 (F) a transparent process for complaint
9 and appeals through electoral commissions and
10 within the court system that provides timely
11 and effective remedies; and

12 (G) vigorous prosecution of any individual
13 or organization responsible for violations of
14 election laws or regulations, including the appli-
15 cation of appropriate administrative or criminal
16 penalties;

17 (7) further calls upon the Government of
18 Ukraine to guarantee election monitors from the
19 ODIHR, other participating States of the OSCE,
20 Ukrainian political parties, candidates' representa-
21 tives, nongovernmental organizations, and other pri-
22 vate institutions and organizations, both foreign and
23 domestic, unobstructed access to all aspects of the
24 election process, including unimpeded access to pub-
25 lic campaign events, candidates, news media, voting,

1 and post-election tabulation of results and pro-
2 cessing of election challenges and complaints; and
3 (8) pledges its enduring support and assistance
4 to the Ukrainian people's establishment of a fully
5 free and open democratic system, their creation of a
6 prosperous free market economy, their establishment
7 of a secure independence and freedom from coercion,
8 and their country's assumption of its rightful place
9 as a full and equal member of the Western commu-
10 nity of democracies.

○

108TH CONGRESS
2D SESSION

H. CON. RES. 418

Recognizing the importance in history of the 150th anniversary of the establishment of diplomatic relations between the United States and Japan.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2004

Mr. LANTOS (for himself, Mr. LEACH, Mr. FALEOMAVAEGA, and Mr. HYDE) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Recognizing the importance in history of the 150th anniversary of the establishment of diplomatic relations between the United States and Japan.

Whereas over the past 150 years, the United States and Japan have developed a strong, multifaceted relationship based on shared democratic values and mutual interest in Asian and global stability and development;

Whereas the bilateral relationship between the United States and Japan was opened by a visit by Commodore Matthew Perry to Japan in 1853, the goal of which was to convince Japan to establish commercial and diplomatic relations;

Whereas the first bilateral treaty between the 2 nations, the Treaty of Peace and Amity between Japan and the

United States, was signed by Commodore Perry and Japanese representatives on March 31, 1854, in Yokohama, Japan;

Whereas the Treaty of Peace and Amity signaled the end of Japan's long isolation as a feudal society and set the stage for the Meiji Restoration and for Japan's transformation into a modern industrial nation;

Whereas with the direct assistance of President Theodore Roosevelt, the Portsmouth Peace Treaty was signed in 1905, ending the Russo-Japanese War and earning President Roosevelt the 1906 Nobel Peace Prize;

Whereas as a symbol of friendship, Japan presented the United States with 3,020 cherry trees in 1912, which continue to blossom each year on the National Mall in Washington, District of Columbia;

Whereas the people of the United States and Japan worked together after World War II to reconstruct Japan and to ensure the post war emergence of Japan as a beacon of democracy and economic liberalization in the Asia-Pacific region;

Whereas the allied security relationship between the United States and Japan was launched with the signing of the Security Treaty of 1951 and further solidified with the signing of the Treaty of Mutual Cooperation and Security in 1960;

Whereas the United States and Japan, despite ongoing bilateral trade disputes, have long sought to promote economic cooperation and an open global trading system, and both nations serve as important and powerful markets for each other with over \$170,000,000,000 in bilateral trade in 2003;

Whereas the Government of Japan strongly condemned the terrorist attacks against the United States that occurred on September 11, 2001, provided logistical support to United States military operations against Al Qaeda and the Taliban in Afghanistan, and has been a leading donor for the relief and reconstruction of Afghanistan;

Whereas the Government of Japan enacted special legislation to allow the deployment to Iraq of Japanese Self Defense Force personnel to carry out humanitarian aid and reconstruction activities, and committed to providing \$5,000,000,000 in assistance to Iraq;

Whereas increased tourism and educational and business exchanges between the people of Japan and the United States have dramatically increased mutual appreciation of Japanese and American culture;

Whereas Japanese-American relations are further cemented by the enormous contributions to American economic, political, and cultural life by nearly 1,000,000 Japanese-Americans;

Whereas Japanese Prime Minister Junichiro Koizumi stated at the ceremony commemorating the 150th anniversary of the Japan-United States relationship that the bilateral friendship “is as solid as it is because our countries share fundamental values like freedom, democracy, and free market economy . . . [w]e are a prime example to the world that people of different races and beliefs can share the same values and be true friends”; and

Whereas generations of American and Japanese leaders have steered the bilateral relationship between the two nations from the humble beginnings of the visit to Japan by Commodore Matthew Perry to the current status of

Japan as the strongest ally of the United States in the Asia-Pacific region: Now, therefore be it—

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) recognizes the importance in history of the
4 150th anniversary of diplomatic relations between
5 the United States and Japan; and

6 (2) calls for expanded political, economic, stra-
7 tegic, and cultural ties between the Japanese and
8 American people and their respective governments.

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108TH CONGRESS
2D SESSION

H. CON. RES. 422

Concerning the importance of the distribution of food in schools to hungry or malnourished children around the world.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2004

Mr. MCGOVERN (for himself, Mrs. EMERSON, Mr. LANTOS, Mr. WOLF, Mr. BEREUTER, Mr. HOUGHTON, Mr. PAYNE, Mr. WEXLER, Mr. DELAHUNT, Ms. LEE, Mr. CROWLEY, Ms. MCCOLLUM, Ms. KAPTUR, Mr. HOFFEL, Mr. BLUMENAUER, Mr. OTTER, Mr. KIND, Mr. LEACH, Mr. FALCONE, Mr. MOORE, and Mr. MORAN of Kansas) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Concerning the importance of the distribution of food in schools to hungry or malnourished children around the world.

Whereas there are more than 300,000,000 chronically hungry and malnourished children in the world;

Whereas more than half of these children go to school on an empty stomach, and almost as many do not attend school at all, but might if food were available;

Whereas the distribution of food in schools is one of the simplest and most effective strategies to fight hunger and malnourishment among children;

Whereas, when school meals are offered to hungry or malnourished children, attendance rates increase significantly, particularly for girls;

Whereas the distribution of food in schools encourages better school attendance, thereby improving literacy rates and fighting poverty;

Whereas improvement in the education of girls is one of the most important factors in reducing child malnutrition in developing countries;

Whereas girls who attend schools tend to marry later in life and have fewer children, thereby helping them escape a life of poverty;

Whereas, by improving literacy rates and increasing job opportunities, education addresses several of the root causes of terrorism;

Whereas the distribution of food in schools increases attendance of children who might otherwise be susceptible to recruitment by groups that offer them food in return for their attendance at extremist schools or participation in terrorist training camps;

Whereas the Global Food for Education Initiative pilot program, established in 2001, donated surplus United States agricultural commodities to the United Nations World Food Program and other recipients for distribution to nearly 7,000,000 hungry and malnourished children in 38 countries;

Whereas a recent Department of Agriculture evaluation found that the pilot program created measurable improvements in school attendance (particularly for girls), increased local employment and economic activity, produced greater involvement in local infrastructure and

community improvement projects, and increased participation by parents in the schools and the education of their children;

Whereas the Farm Security and Rural Investment Act of 2002 replaced the pilot program with the George McGovern-Robert Dole International Food for Education and Child Nutrition Program, which was named after former Senators McGovern and Dole for their distinguished work to eradicate hunger and poverty around the world; and

Whereas the George McGovern-Robert Dole International Food for Education and Child Nutrition Program provides food to nearly 2,000,000 hungry or malnourished children in 28 countries: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) expresses its grave concern about the con-
4 tinuing problem of hunger and the desperate need to
5 feed hungry and malnourished children around the
6 world;

7 (2) recognizes that the global distribution of
8 food in schools to children around the world in-
9 creases attendance, particularly for girls, and im-
10 proves literacy rates and increases job opportunities,
11 thereby helping to fight poverty;

12 (3) recognizes that education of children around
13 the world addresses several of the root causes of
14 international terrorism;

1 (4) recognizes that the world will be safer and
2 more promising for children as a result of better
3 school attendance;

4 (5) expresses its gratitude to former Senators
5 George McGovern and Robert Dole for supporting
6 the distribution of food in schools around the world
7 to children and for working to eradicate hunger and
8 poverty around the world;

9 (6) commends the Department of Agriculture,
10 the Agency for International Development, the De-
11 partment of State, the United Nations World Food
12 Program, private voluntary organizations, non-gov-
13 ernmental organizations, and cooperatives for facili-
14 tating the distribution of food in schools around the
15 world;

16 (7) expresses its continued support for the dis-
17 tribution of food in schools around the world;

18 (8) supports expansion of the George McGov-
19 ern-Robert Dole International Food for Education
20 and Child Nutrition Program; and

21 (9) requests the President to work with the
22 United Nations and its member states to expand
23 international contributions for the distribution of
24 food in schools around the world.

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108TH CONGRESS
2D SESSION

S. 2264

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2004

Referred to the Committee on International Relations

AN ACT

To require a report on the conflict in Uganda, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Northern Uganda Cri-
5 sis Response Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) The United States and the Republic of
4 Uganda enjoy a strong bilateral relationship and
5 continue to work closely together in fighting the
6 human immunodeficiency virus and acquired im-
7 mune deficiency syndrome (“HIV/AIDS”) pandemic
8 and combating international terrorism.

9 (2) For more than 17 years, the Government of
10 Uganda has been engaged in a conflict with the
11 Lord’s Resistance Army that has inflicted hardship
12 and suffering on the people of northern and eastern
13 Uganda.

14 (3) The members of the Lord’s Resistance
15 Army have used brutal tactics during this conflict,
16 including abducting and forcing individuals into sex-
17 ual servitude, and forcing a large number of chil-
18 dren, estimated to be between 16,000 and 26,000
19 children, in Uganda to serve in such Army’s military
20 forces.

21 (4) The Secretary of State has designated the
22 Lord’s Resistance Army as a terrorist organization
23 and placed the Lord’s Resistance Army on the Ter-
24 rorist Exclusion list pursuant to section 212(a)(3) of
25 the Immigration and Nationality Act (8 U.S.C.
26 1182(a)(3)).

1 (5) According to Human Rights Watch, since
2 the mid-1990s the only known sponsor of the Lord's
3 Resistance Army has been the Government of
4 Sudan, though such Government denies providing
5 assistance to the Lord's Resistance Army.

6 (6) More than 1,000,000 people have been dis-
7 placed from their homes in Uganda as a result of
8 the conflict.

9 (7) The conflict has resulted in a lack of secu-
10 rity for the people of Uganda, and as a result of
11 such lack, each night more than 18,000 children
12 leave their homes and flee to the relative safety of
13 town centers, creating a massive "night commuter"
14 phenomenon that leaves already vulnerable children
15 subject to exploitation and abuse.

16 (8) Individuals who have been displaced by the
17 conflict in Uganda often suffer from acute malnutri-
18 tion and the mortality rate for children in northern
19 Uganda who have been displaced is very high.

20 (9) In the latter part of 2003, humanitarian
21 and human rights organizations operating in north-
22 ern Uganda reported an increase in violence directed
23 at their efforts and at civilians, including a sharp in-
24 crease in child abductions.

1 (10) The Government of Uganda’s military ef-
2 forts to resolve this conflict, including the arming
3 and training of local militia forces, have not ensured
4 the security of civilian populations in the region to
5 date.

6 (11) The continued instability and lack of secu-
7 rity in Uganda has severely hindered the ability of
8 any organization or governmental entity to deliver
9 regular humanitarian assistance and services to indi-
10 viduals who have been displaced or otherwise nega-
11 tively affected by the conflict.

12 **SEC. 3. SENSE OF CONGRESS.**

13 It is the sense of Congress that the Government of
14 the United States should—

15 (1) work vigorously to support ongoing efforts
16 to explore the prospects for a peaceful resolution of
17 the conflict in northern and eastern Uganda;

18 (2) work with the Government of Uganda and
19 the international community to make available suffi-
20 cient resources to meet the immediate relief and de-
21 velopment needs of the towns and cities in Uganda
22 that are supporting large numbers of people who
23 have been displaced by the conflict;

24 (3) urge the Government of Uganda and the
25 international community to assume greater responsi-

1 bility for the protection of civilians and economic de-
2 velopment in regions in Uganda affected by the con-
3 flict, and to place a high priority on providing secu-
4 rity, economic development, and humanitarian as-
5 sistance to the people of Uganda;

6 (4) work with the international community, the
7 Government of Uganda, and civil society in northern
8 and eastern Uganda to develop a plan whereby those
9 now displaced may return to their homes or to other
10 locations where they may become economically pro-
11 ductive;

12 (5) urge the leaders and members of the Lord's
13 Resistance Army to stop the abduction of children,
14 and urge all armed forces in Uganda to stop the use
15 of child soldiers, and seek the release of all individ-
16 uals who have been abducted;

17 (6) make available increased resources for as-
18 sistance to individuals who were abducted during the
19 conflict, child soldiers, and other children affected by
20 the conflict;

21 (7) work with the Government of Uganda, other
22 countries, and international organizations to ensure
23 that sufficient resources and technical support are
24 devoted to the demobilization and reintegration of

1 rebel combatants and abductees forced by their cap-
2 tors to serve in non-combatant support roles;

3 (8) cooperate with the international community
4 to support civil society organizations and leaders in
5 Uganda, including Acholi religious leaders, who are
6 working toward a just and lasting resolution to the
7 conflict;

8 (9) urge the Government of Uganda to improve
9 the professionalism of Ugandan military personnel
10 currently stationed in northern and eastern Uganda,
11 with an emphasis on respect for human rights, ac-
12 countability for abuses, and effective civilian protec-
13 tion;

14 (10) work with the international community to
15 assist institutions of civil society in Uganda to in-
16 crease the capacity of such institutions to monitor
17 the human rights situation in northern Uganda and
18 to raise awareness of abuses of human rights that
19 occur in that area;

20 (11) urge the Government of Uganda to permit
21 international human rights monitors to establish a
22 presence in northern and eastern Uganda;

23 (12) monitor the creation of civilian militia
24 forces in northern and eastern Uganda and publicize
25 any concerns regarding the recruitment of children

1 into such forces or the potential that the establish-
2 ment of such forces will invite increased targeting of
3 civilians in the conflict or exacerbate ethnic tension
4 and violence; and

5 (13) make clear that the relationship between
6 the Government of Sudan and the Government of
7 the United States cannot improve unless no credible
8 evidence indicates that authorities of the Govern-
9 ment of Sudan are complicit in efforts to provide
10 weapons or other support to the Lord's Resistance
11 Army.

12 **SEC. 4. REPORT.**

13 (a) REQUIREMENTS.—Not later than 6 months after
14 the date of enactment of this Act, the Secretary of State
15 shall submit a report to the appropriate congressional
16 committees on the conflict in Uganda.

17 (b) CONTENT.—The report required by subsection
18 (a) shall include a description of the following:

19 (1) The individuals or entities that are pro-
20 viding financial and material support for the Lord's
21 Resistance Army, including a description of any such
22 support provided by the Government of Sudan or by
23 senior officials of such Government.

24 (2) The activities of the Lord's Resistance
25 Army that create obstacles that prohibit the provi-

1 sion of humanitarian assistance or the protection of
2 the civilian population in Uganda.

3 (3) The practices employed by the Ugandan
4 People's Defense Forces in northern and eastern
5 Uganda to ensure that children and civilians are
6 protected, that civilian complaints are addressed,
7 and that any member of the armed forces that
8 abuses a civilian is held accountable for such abuse.

9 (4) The actions carried out by the Government
10 of the United States, the Government of Uganda, or
11 the international community to protect civilians, es-
12 pecially women and children, who have been dis-
13 placed by the conflict in Uganda, including women
14 and children that leave their homes and flee to cities
15 and towns at night in search of security from sexual
16 exploitation and gender-based violence.

17 (c) FORM OF REPORT.—The report under subsection
18 (a) shall be submitted in unclassified form, but may in-
19 clude a classified annex.

20 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
21 DEFINED.—In this section, the term “appropriate con-
22 gressional committees” means the Committee on Foreign

1 Relations of the Senate and the Committee on Inter-
2 national Relations of the House of Representatives.

Passed the Senate May 7, 2004.

Attest: EMILY J. REYNOLDS,
Secretary.

Mr. ROHRABACHER. Reserving the right to object, Mr. Chairman, the government of Ethiopia is refusing to return confiscated property of a constituent of mine, the Brahami family, and OPEC has terminated any new funding for projects in Ethiopia until justice is done to these U.S. citizens.

At a hearing before this Committee, Paul Applegarth, CEO of the Millennium Challenge Account, indicated that following OPEC's lead, the Millennium Challenge Account will refrain from offering support to Ethiopia until the confiscated property of the Brahami family has been dealt with fairly.

This vote comes before us today with this testimony on the record and before us, and with that, I withdraw my reservations.

Chairman HYDE. Are there any other reservations?

[No response.]

Chairman HYDE. If not, without objection it is so ordered and the staff is directed to make technical and conforming changes. I thank the Members for their cooperation. We will now adjourn the shortest meeting of the year. The Committee stands adjourned.

[Whereupon, at 11:01 a.m., the Committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE TOM LANTOS, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

H.R. 4660

Mr. Chairman, half of the world's population still ekes out a living on less than \$2 per day. What this means is that approximately 3 billion men, women, and children—or a population which is 11 times the size of our nation—awake each morning to little or no food, dirty water, inadequate shelter, and a lack of rudimentary health care.

Alleviating this crushing poverty, particularly among women and girls, around the globe is our moral imperative. Our compassion as an American people and our position as the world's sole remaining superpower demand it.

More than an appeal to our generosity, reducing poverty around the world is in our national interest. Persistent poverty not only gnaws at the bodies of men and women, making them vulnerable to global infectious diseases, like HIV/AIDS, the accompanying despair of stifling poverty also chews at their souls, making them vulnerable to ideologies of hate and destruction.

Mr. Chairman, this Committee, under your steady leadership, has created and improved numerous foreign assistance programs to mitigate the effects of global poverty on those who suffer in it and provide them with the tools for advancement. The Millennium Challenge Account is but one example.

For the MCA to be successful and for it to maintain solid Congressional support, the Millennium Challenge Corporation, the primary implementing agency of the program, must undertake serious efforts to expand the number of countries that will benefit from the Millennium initiative. The lucky 16 countries that are currently eligible to receive MCA assistance represent only about 3 percent of the world's poor.

One way to expand the number of poor countries that can receive MCA funds is through a program for "Threshold" countries that just missed clearing the eligibility bar. Unfortunately, the Threshold Program is only authorized through this fiscal year.

My bill, H.R. _____, helps ensure that the MCA continues to be available to as many poor people as possible by reauthorizing the Threshold Program for as long as the MCA operates.

Mr. Chairman, I want to thank you for your co-sponsorship of my bill and your willingness to expedite its consideration by this Committee and the full House.

Mr. Chairman, in order for the MCA to achieve its stated goal of reducing poverty, the CEO of the Millennium Challenge Corporation must focus his attention and that of his staff on more than just stimulating economic growth in eligible countries—a seemingly emergent trend that, if true, disturbs me deeply.

Our experience in this country has made painfully clear that trickle-down economics tend to push the working poor further into misery rather than provide them with better economic opportunities. Exporting this failed domestic policy through the MCA to countries with yawning chasms between rich and poor and with financial markets more like flea markets than Wall Street would be a catastrophe. I suspect that such an approach may also result in a potential windfall for the pockets of some officials in these countries as well as the coffers of privileged multinational corporations.

While economic growth is necessary to reducing poverty, it alone is not enough.

Real poverty reduction, particularly in developing countries, requires substantial investments in education, health, and other sectors which directly contribute to building the human capacity of countries. Real poverty reduction requires policies

that close the gap between the rich elite and the poor majority by providing equal access to assets such as land. And real poverty reduction requires that special attention be paid to poor farmers, other agricultural workers, and women, who bear a disproportionate burden under poverty.

Mr. Chairman, Congress granted the Executive Branch unprecedented flexibility in how the MCA funds were to be expended because the Executive Branch promised us that it would increase the effectiveness with which it would be able to achieve the goals of the Millennium program. Poverty reduction is one of the primary goals of the MCA. Yet, early signs indicate that the Administration may be squandering its opportunity to meet this goal and thus eroding bi-partisan Congressional support for the program. I hope that this is not the case.

Thank you, Mr. Chairman.

